

A BILL

FOR AN ACT TO REVISE, AMEND AND CODIFY THE STATUTES IN RELATION TO THE
PUBLIC SCHOOLS.

Be it Enacted by the General Assembly of the State of Iowa:

SECTION 1. In citations this revision of the school laws shall be given as the "School Laws
2 of 1909," adding chapter or section as required. Chapters 1, 2, 12, 13, 14, 15, of Title XIII of
3 the Code and Chapters 1, 2, 12, 13, 14, 14A, 14B, 14C, 14D, 15, of Title XIII of the Supplement
4 to the Code, 1907, and all public or special acts, the subjects whereof are herein revised, or
5 which are repugnant hereto, except acts passed at the present session of the General Assembly,
6 are repealed subject to the limitations and exceptions hereinafter expressed, but local acts are
7 repealed only by express terms or on account of repugnancy.

SEC. 2. This act shall take effect on the fourth day of July, A. D. 1909, but until the election
2 and organization of the county boards of education the organization and government of school
3 districts shall continue under the laws heretofore in force.

SEC. 3. This repeal of existing statutes shall not affect any act done, any right accruing, or
2 which has accrued or has been established, or any suit or proceeding had or commenced before
3 the time when said repeal takes effect; but the proceeding shall in such cases be conformed to
4 the provisions of this act as far as consistent. No offense committed, or penalty incurred un-
5 der any statute hereby repealed and before the repeal takes effect shall be affected by the re-
6 peal.

SEC. 4. Whenever, under the provisions of this act, any school district or school corporation
2 heretofore organized or existing is dissolved and its territory merged in another school dis-
3 trict or school corporation, the school district or school corporation in which said territory is
4 merged shall succeed to and be vested with title to all the property and rights of such dis-
5 solved district or corporation and be liable for all the debts and obligations thereof and shall be
6 substituted as a party to any action or proceeding pending in place of said dissolved district
7 or corporation.

SEC. 5. In the construction and application of this act the rules provided in Chapters Three
2 and Four of Title I of the Code and Amendments thereto shall be observed unless inconsistent
3 with the manifest intent or repugnant to the provisions of this act and in addition thereto the

4 following rules shall be observed unless inconsistent with the manifest intent of the General
5 Assembly or repugnant to the context of the statute.

6 1. The terms "heretofore" and "hereinafter," as used in this act, have no relation to the
7 time when this act takes effect.

8 The terms "school district" or "school corporation" shall, when used in the statutes hereto-
9 fore in force or when referring to such statutes, include independent school districts and
10 school townships as heretofore organized or existing; when used in reference to the organiza-
11 tions provided for in this act, they shall include county school districts and independent school
12 districts.

13 3. The terms "voter" and "elector" shall be construed to mean all persons qualified to
14 vote for members of the General Assembly and shall include women who have the qualifica-
15 tions as to age, residence and citizenship required to qualify persons to vote for members of
16 the General Assembly when the terms are used in reference to matters upon which women
17 have the right to vote under the provisions of this act.

SEC. 6. Any school officer wilfully violating any provision of this act, or wilfully failing or
2 refusing to perform any duty imposed by law, shall forfeit and pay into the treasury of the
3 particular school corporation in which the violation occurs the sum of twenty-five dollars, ac-
4 tion to recover which may be begun by the county superintendent or the board of the proper
5 school corporation and shall be brought in the name of the proper school corporation, and
6 shall be applied to the use of the schools therein.

SEC. 7. The provisions of this act shall apply alike to all districts, except when otherwise
2 clearly stated. But school boards shall not incur original indebtedness by the issuance of
3 bonds until authorized by the voters of the school corporation.

SEC. 8. Each school officer, upon the termination of his term of office, shall immediately sur-
2 render to his successor all books, papers and moneys pertaining or belonging to the office,
3 taking a receipt therefor.

SEC. 9. No lands, moneys or other property owned or held by the state or any school district
2 or by any other subdivision or agency of the state for school, seminary, college, university, li-
3 brary or other educational purposes shall be subject to any assessment, levy or tax whatso-
4 ever, except for sewers and sidewalk purposes.

SEC. 10. All schools, seminaries, colleges, universities, libraries and other educational insti-
2 tutions and agencies for the support of which lands or other property have been or may be
3 granted or donated to this state or any school district or other subdivision or agency thereof,
4 or which have been or may be established in whole or in part by or from the proceeds of a
5 public tax, or which are supported in whole or in part by a public tax, or from the proceeds
6 thereof, shall remain under the absolute and exclusive control of the state. No such institution
7 shall be under any private or sectarian control and no money or property raised or provided

8 for the support of the public schools or by taxation shall ever be appropriated to or used for
9 any private or sectarian school.

SEC. 11. The Bible shall not be excluded from any public school or institution in the state,
2 nor shall any child be required to read it contrary to the wishes of his parent or guardian.

SEC. 12. Instruction in all branches except foreign languages, taught in the public schools,
2 shall be in English.

SEC. 13. The superintendent of public instruction shall be chosen at the regular biennial
2 election and his term of office shall be two years. Should a vacancy occur from any cause in
3 the office of superintendent of public instruction, it shall be filled by a person appointed by the
4 governor, who shall hold office until his successor is elected.

SEC. 14. The superintendent of public instruction, who may be of either sex, shall be the
2 holder of an unlimited state certificate, and shall during the term of office be ineligible to any
3 other school office and shall not during said term be a member of the faculty, governing board
4 of any educational institution, except as provided by law.

SEC. 15. The superintendent of public instruction shall have an office in the capitol, in which
2 shall be filed and kept all papers, reports and documents transmitted to him each year by the
3 several county, city or district superintendents and school officers, and shall be provided by
4 the executive council with all necessary stationery and office supplies. Such papers, reports
5 and documents shall be kept open to inspection by any citizen of the state. He shall keep a
6 record of all business transacted in his office, which, together with all other papers and docu-
7 ments, shall be turned over to his successor at the conclusion of his term. He shall appoint a
8 deputy, who shall qualify in like manner as his principal, and who, in the absence or inability
9 of the superintendent, shall perform his duties. He shall be allowed two clerks, each at a
10 salary of one thousand dollars (\$1,000) per annum, and two stenographers, each at a salary of
11 seventy-five dollars (\$75) per month.

SEC. 16. The salary of the superintendent of public instruction shall be three thousand dol-
2 lars (\$3,000) per annum, and that of his deputy eighteen hundred dollars (\$1,800) per annum,
3 to be paid monthly upon the warrant of the state auditor, and, in addition thereto, the superin-
4 tendent of public instruction shall receive his actual traveling expenses incurred in the per-
5 formance of official duties.

SEC. 17. He shall be charged with the general supervision of all the county, city and district
2 superintendents and school officers and the public schools of the state; may meet county, city
3 and district superintendents in convention at such points in the state as may be most suitable
4 for the purpose, at which proper steps may be taken looking toward to securing a more uniform
5 and efficient administration of the school laws. He shall appoint at the request of county su-
6 perintendents, the time and place for holding teachers' institutes. He shall attend teachers'
7 institutes thus called in the several counties of the state so far as consistent with his official

8 duties. He shall have power to collect, publish and distribute statistical and other information
9 relative to public schools and education in general; to visit teachers' associations, attend edu-
10 cational meetings and make tours of inspection among the public schools and other institu-
11 tions of learning in the state, and may deliver addresses upon subjects relative to education.
12 He shall have power to prepare, publish and distribute blank forms for all returns which he
13 may deem necessary, or that by law may be required of teachers, or school officers; to publish
14 and distribute annually leaflets and circulars relative to arbor day, memorial day, and other
15 days considered by him worthy of special observation in public schools, the number or quan-
16 tity thereof to be determined by the executive council. For the state board of education he
17 shall prepare, publish, and distribute among teachers and school officers courses of study for
18 use in the public schools of the state, the number thereof to be fixed by the executive council
19 When any county, city or district superintendent or other school officer fails to make any report
20 as required of him by law, the superintendent of public instruction may appoint some suitable
21 person to perform such duties and fix reasonable compensation therefor, which shall be paid by
22 the delinquent superintendent or officer.

SEC. 18. He shall on the first day of January report to the auditor of state the number of per-
2 sons in each county between the ages of five and twenty-one years; and he shall report bien-
3 nially to the governor, stating the condition of the public schools in the state, the number of
4 school districts or corporations therein, number of teachers, number of schools, number of
5 school-houses and value thereof, number of persons of school age, number of pupils in each
6 county attending school the previous year, number of books in the district libraries, the value
7 of all libraries, apparatus and other equipment in schools, and such other statistical informa-
8 tion as may be of public importance. He shall also report plans matured or adopted for the
9 more perfect organization and efficiency of the public schools, and any suggestions he may
10 deem important, regarding further legislation, which will strengthen the educational work of
11 the state.

SEC. 19. He shall every four years, if deemed necessary, cause to be printed and bound in
2 cloth all school laws in force up to that time, with such notes, forms, rulings and decisions as
3 may be of value in aiding school officers in the proper discharge of their duties, reference be-
4 ing made to previous laws amended or changed, so as to indicate the effect of such amend-
5 ment or change; one copy of which shall be sent to each county superintendent and one to each
6 district in the state, to be distributed by the several secretaries of county school districts. Vol-
7 umes bound in paper covers shall be distributed by the secretary of the county school district
8 to each school director and trustee, and each volume shall be turned over by the director or
9 trustee to his successor in office. Should he deem it unnecessary at any time to prepare a vol-
10 ume as above provided, the superintendent may cause to be published in pamphlet form such
11 amendments to the school laws as have been passed by the General Assembly, which shall be

12 distributed in the manner and to the parties hereinbefore provided.

SEC. 20. The superintendent of public instruction shall render opinions in writing upon re-
2 quest of any school officer regarding the school law, its administration, and upon the duties of
3 such officer, and shall determine all cases brought before him on appeal.

SEC. 21. The state board of education shall consist of the state superintendent of public
2 instruction, the president of the State University, the president of the State Normal School,
3 the president of the State College of Agriculture and Mechanic Arts, and the following per-
4 sons appointed by the governor: One county superintendent, one city superintendent and one
5 member of the faculty of an independent liberal arts college within the state. Each of the per-
6 sons appointed by the governor shall hold office for four years, provided that if any member
7 shall cease to be in active service in the class of school position in which engaged at the time
8 of appointment to said Board, that his membership on said Board shall become vacant and his
9 successor shall be appointed by the Governor. The superintendent of public instruction shall
10 be appointed by the Governor. The superintendent of public instruction shall be the president
11 of said Board.

SEC. 22. The Board shall choose a person of superior knowledge of educational organization
2 to act as secretary of said Board. He shall be under the direction of the Superintendent of Pub-
3 lic Instruction. His term of office shall not be fixed but shall be at the pleasure of said Board.
4 The secretary shall receive a salary to be fixed by the board not to exceed twelve hundred
5 (\$1,200) dollars annually and shall be reimbursed for all actual and necessary traveling ex-
6 penses when engaged in the performance of duties at other places than at the capitol.

SEC. 23. The state board of education shall act as a board of examiners for all legal licenses to
2 teach in the public schools of the state and shall issue uniform county certificates and state cer-
3 tificates of the grades and classes provided for by law. It shall inspect and classify all public
4 schools as to courses of study, teaching force, equipment and sanitation. It shall inspect and
5 supervise the school libraries provided for by law. It shall inspect and classify such higher
6 institutions as seek accredited relations for the purpose of certification of teachers. To carry
7 out the purpose of this act it shall be the duty of the state board of education to appoint a per-
8 son of superior qualifications to visit and report upon the institutions indicated and to advise
9 concerning the organization and equipment of such institutions when desirable or necessary.
10 Such person shall be known as state supervisor of schools. The state supervisor of schools
11 shall receive from the state treasury an annual compensation not to exceed two thousand dol-
12 lars (2,000) and reimbursements for all actual and necessary traveling expenses incurred in
13 the performance of the duties of the office. Said supervisor shall be under the direct super-
14 vision of the state superintendent of public instruction, who is ex officio president of the state
15 board of education. Said supervisor shall hold office at the pleasure of the board. The board
16 may appoint assistant supervisors from time to time when necessary who shall receive their

17 necessary expenses and six dollars (\$6.00) per day, to be paid in the same manner as
18 the state supervisor of schools. Not more than five thousand dollars (\$5,000.00) shall be ex-
19 pended in any one year for the salaries and expenses of such assistant supervisors.

SEC. 24. The state board of education shall meet at least three times annually for the trans-
2 action of business at such times and places as the president may direct, and hold such special
3 meetings as the board may direct or as may be called by the president of said board.

SEC. 25. The state board of education shall keep an accurate and detailed account of all
2 moneys received and deposited with the state treasurer and of all expenditures on account of
3 the state board of education which shall be reported to the executive council by the superin-
4 tendent of public instruction in his biennial report. Each member of the board shall receive
5 during the time employed in such service his actual necessary expenses. The board shall have
6 power to employ such persons as are necessary to assist in examinations and in reading answer
7 papers and for clerical work and other necessary assistance. Persons so employed shall receive
8 not to exceed fifty cents per hour for the time actually employed and actual traveling expenses
9 to and from the place where their services are required. All expenditures authorized to be made
10 by the board in the examination and certification of teachers under the provisions of this act
11 shall be certified by the superintendent of public instruction to the executive council and
12 shall be paid on the approval of said executive council. If found to be correct the executive
13 council shall cause same to be paid from any funds paid into the state treasury under the pro-
14 visions of section twenty-six hundred thirty-one (2631) of the code and chapter one hundred
15 twenty-two (122) acts of the Thirty-first General Assembly and amendments thereto and from
16 any funds paid into the state treasury under the provisions of this act. (2634 and 2534a.)

SEC. 26. The state board of education shall obtain all the necessary printing for the perform-
2 ance of its duties, as required by law in the same manner as the printing is provided for
3 state officers, provided that said board may determine who shall print the questions for licenses
4 to teach, but the price allowed for such work shall not exceed the amount allowed the state
5 printer.

SEC. 27. The state board of education shall issue three grades of uniform county certificates,
2 viz.: first grade, second grade, and third grade, the first grade being the highest. When neces-
3 sary, upon request of the county superintendent, provisional county certificates may be issued
4 by the state board. At any time when conditions warrant, said board may discontinue the
5 issuance of third grade certificates.

SEC. 28. Candidates for uniform county certificates must successfully pass examinations in
2 the following subjects for each respective grade of certificate: For the third grade, in read-
3 ing, writing, arithmetic, orthography, geography, English grammar and composition, United
4 States history, the constitution of the United States, the history and constitution of Iowa, the
5 elements of vocal music, theory and art of teaching, the state manual of the course of study,

6 and physiology and hygiene, which in each division of the subject shall include special refer-
7 ence to the effects of alcohol, stimulants and narcotics upon the human system; for the second
8 grade all of the foregoing, and in addition thereto, physical geography, elementary algebra,
9 and American literature; for the first grade all of the foregoing and in addition thereto, ele-
10 mentary physics or botany, plane geometry, English literature, general history, elementary eco-
11 nomics, elementary psychology, and such other subjects as the state board of education may
12 deem necessary. The foregoing conditions relating to first grade certificates shall go into ef-
13 fect September 1, 1909, and those relating to second and third grade certificates July 1, 1911.

SEC. 29. All candidates for a first grade uniform county certificate will be required to fur-
2 nish evidence of at least thirty-six weeks of successful experience in teaching, except that can-
3 didates may be exempt if graduates of a first-class, four-year high school approved by the state
4 board of education, and have subsequent to graduation therefrom, completed successfully at
5 least one year in a normal school, college or university department of education or in a city
6 teachers' training school approved by the state board of education.

SEC. 30. On and after September 1, 1910, no person shall be granted any certificate to teach
2 who has not attained the age of nineteen years,

SEC. 31. It shall be the duty of the state board of education on and after September 1, 1910,
2 or as soon thereafter as practicable, to enforce the following provisions: No person shall be
3 granted a third or second grade uniform county certificate who has not successfully completed in
4 residence in an institution approved by the board of education the equivalent of at least two
5 years of high school work. No one shall be granted a first grade uniform county certificate
6 who has not successfully completed under the conditions before mentioned at least three years
7 of high school work. No persons shall be granted a second grade uniform county certificate
8 who has not had at least six weeks of professional training in a normal school, college, univer-
9 sity or city teachers' training course approved by the state board of education. No person shall
10 be granted a first grade uniform county certificate who has not had at least sixteen weeks of
11 professional training in a normal school, college, university or teachers' training course ap-
12 proved by the state board of education. These provisions shall not be retroactive in the case
13 of persons who seek renewals of certificates then in force.

SEC. 32. The first, second and third grade uniform county certificates shall be valid in any
2 county in the state. The first grade certificate shall be valid for three years, the second for two
3 years, and the third for one year. Provisional certificates shall be valid only in the county for
4 which issued and for not to exceed one year.

SEC. 33. Third grade uniform county certificates shall not be renewable. Candidates seek-
2 ing another certificate of this grade shall be required to sustain a re-examination upon the
3 entire range of examination subjects. No more than two third grade certificates shall be
4 issued to the same person except upon special recommendation of the state board of education.

SEC. 34. First and second grade uniform county certificates shall be renewable without further examination provided the applicant shall show by examinations or otherwise that at least one line of professional study has been successfully conducted during the life of the certificate, it being made the duty of the board to forward with each certificate subject to renewal, outlines setting forth various lines of professional study. Each application for renewal shall be accompanied by such proof of successful experience and professional spirit as the state board of education may require.

SEC. 35. On the first Friday, and the Wednesday and Thursday preceding said date, in the months of February, June, August and October, the county superintendent, with such assistants as shall be necessary shall examine all applicants for a teacher's certificate. Such examinations shall be held at the county seat in a suitable room which shall be provided for that purpose by the county board of education; but the county superintendent may at his discretion cause to be held at the time of any regular examination an additional examination at some other place in the county. The questions used in such examinations shall be furnished by the state board of education who shall cause the same to be printed, and the examinations shall be conducted strictly under rules prescribed by the board.

SEC. 36. Before admitting anyone to the examination the county superintendent must be satisfied that each candidate is of good moral character, and not subject to any disease or physical defects such as might militate against success in teaching and is possessed of all the other qualifications in addition to the academic and professional which are necessary to success as a teacher. Of these facts and qualifications the county superintendent may, in case of doubt, require documentary proof.

SEC. 37. A record shall be kept by the county superintendent of all examinations taken within his county with the name, age, and residence of each applicant, and the date of the examination.

SEC. 38. As soon as the examination is completed the county superintendent shall forward to the State Superintendent of Public Instruction a list of all applicants examined, with the standings of each in theory and art of teaching and oral reading and his estimate of each applicant's personality and general fitness for the work of teaching. He shall at the same time forward to the State Superintendent of Public Instruction the answer papers written, with the exception of those in theory and art of teaching. Under the supervision of the state board of education the papers shall be graded and the scholastic qualifications determined. The results of such examination with proper certificates and failure slips shall be transmitted to the County Superintendent of the proper county and by him forwarded to the persons entitled thereto.

SEC. 39. Immediately following each examination authorized by this act, the Board of Examiners shall call to their assistance a sufficient number of competent readers previously

3 selected by the Board, ten of whom shall be County Superintendents. The County Superinten-
4 dents so chosen shall be known as head readers and shall also constitute a review board in
5 cases of doubt. They shall also make a list of applicants from each county, nearest the pass-
6 ing mark for a third grade certificate. The head readers shall receive necessary traveling
7 expenses only.

SEC. 40. Each applicant for a uniform county certificate or a provisional county certificate
2 shall pay a fee of one dollar, one-half of which shall be paid into the state treasury on the first
3 day of the succeeding month and one-half shall be paid into the County Institute fund (2734-p).

SEC. 41. No person shall teach in any public school in this state whose certificate has not
2 been registered with the County Superintendent of the county in which such school is located
3 (2734-q).

SEC. 42. In case a sufficient number of state certificates, first grade county certificates and
2 second grade county certificates are held in any county to supply the schools thereof, it shall
3 not be incumbent on the County Superintendent to register third grade certificates (2734-r).

SEC. 43. When a sufficient number of licensed teachers can not be secured to fill the schools
2 of any county, the state board of education may, upon the request of the County Superinten-
3 dent, appoint a special examination for such county to be conducted in all respects as a regular
4 examination and the answer papers to be forwarded to the president of the state board of edu-
5 cation as required in regular examinations and thereupon provisional certificates may be is-
6 sued by the state board of education (2734-s).

SEC. 44. Any certificate or diploma issued by the board may be revoked for any cause which
2 would have authorized or required a refusal to grant the same, or in case the holder thereof
3 violates any of the provisions of this act. When in the judgment of the county superintendent
4 there is probable cause for the revocation of a certificate or diploma held by any teacher em-
5 ployed in his county, or when charges are preferred, supported by affidavits charging incompe-
6 tency, immorality, intemperance, cruelty, or general neglect of the business of the school, the
7 county superintendent shall within ten days transmit to such person a written statement of the
8 charges preferred and set the time and place for hearing of the same, at which trial the teacher
9 shall be privileged to be present and make defense. If in the judgment of the county superin-
10 tendent there is sufficient ground for the revocation of the certificate or diploma, he shall at once
11 issue in duplicate an order revoking the certificate or diploma, and the same shall become oper-
12 ative, and of full force and effect ten days after the date of its issue, one copy of the order to
13 be mailed to the holder of the certificate and the other to be mailed to the Superintendent of
14 Public Instruction. Provided that the person aggrieved by such order shall have the right to
15 appeal to the Superintendent of Public Instruction within ten days of the date of such mailing
16 and in case of appeal the revocation shall not be effective until the same is affirmed, after full
17 hearing, by the Superintendent of Public Instruction. Provided further, that in the case of

18 life diplomas or state certificates of whatever class, the revocation shall not be effective until
19 affirmed by the state board of education after full review by said board (2734-t and u).

SEC. 45. The state board of education shall hold at the state capitol at least two public exam-
2 inations annually for state certificates, to be conducted by a member or the secretary of the
3 board, or by such qualified person or persons as the board may select. Other examinations
4 may be held at such places and times as the board may deem necessary. All examinations
5 shall be conducted in accordance with rules and regulations adopted by the board, not incon-
6 sistent with the law, and a record shall be kept of all its proceedings (2629).

SEC. 46. Each candidate for a state certificate, whether through examinations, through
2 graduation from an approved institution, through validation of certificates of other states or
3 through renewal shall be required to pay a fee of two dollars, which shall accompany the
4 application. Persons whose state certificates are validated for life shall pay a fee of five dol-
5 lars. All such fees shall be paid to the state superintendent and by him to the state treas-
6 urer. The fee shall not be returnable in case of failure to secure a certificate.

SEC. 47. Before admitting anyone to the state examinations the state board of education
2 must be satisfied that each candidate is of good moral character and without physical defects
3 such as might militate against success in teaching, and possessed of such other qualifications,
4 in addition to academic or professional, as are necessary to success as a teacher. Of those
5 facts and qualifications the board may, in case of doubt, require documentary proof.

SEC. 48. On and after September 1, 1910, no person shall be eligible to any state certificate
2 who has not attended and completed in an institution, the equivalent of a four-year high school
3 course, and who has not completed at least one year of professional training in a normal
4 school, college, university or city teacher's training course, approved by the state board of
5 education. But this provision shall not be applicable in the case of persons to whom renew-
6 able state certificates have been issued prior to the passage of this act.

SEC. 49. The state board of education shall grant under conditions hereinafter described
2 state certificates of the following classes, viz., unlimited state certificates, and limited state
3 certificates, and provisional certificates. The limited state certificates shall include kindergar-
4 ten certificates, primary certificates, elementary certificates, and special technical certificates.

SEC. 50. The examination for an unlimited state certificate shall seek to discover that the
2 candidates possess knowledge and training equivalent to that secured by the successful pur-
3 suit of an advanced college or normal school course including the professional study of the
4 science and art of education, and to that end the examination shall cover the following range
5 of subjects and such others as the board may require:

6 (A) Subjects of a high school grade which shall include English grammar, composition
7 and rhetoric, English and American literature, United States history, general history, con-
8 stitution of the United States and of Iowa, elementary economics, arithmetic, algebra, plane

9 geometry, physiology, physical geography, elementary physics and botany.

10 (B) Six of the following subjects with a thorough and practical equivalent to at least one
11 year's course in each in an advanced normal school or college: (1) physics, (2) chemistry,
12 (3) mathematics (including advanced algebra, solid geometry and trigonometry), (4) botany,
13 (5) zoology, (6) geology, (7) United States history, (8) general history, (9) political economy,
14 (10) advanced English, (11) Latin, (12) Greek, (13) German, (14) French.

15 (C) The following professional subjects of education, or advanced normal school grade;
16 psychology, history of education, theory and practice of education.

17 Candidates for state certificates may be exempt from the examination in all subjects of a
18 high school grade which have been satisfactorily passed by an examination for a first grade
19 uniform county certificate in force at the time of the examination for the state certificate.

SEC. 51. Candidates for the limited state certificates shall pass satisfactory examinations in
2 all the branches required for unlimited state certificates, except that three of the subjects
3 under "B" in the foregoing may be replaced by the special line of work indicated by the cer-
4 tificates sought. The technical subjects shall be held to include music, drawing, penmanship,
5 book-keeping, commercial subjects, physical culture, domestic science and such other kindred
6 subjects as may be included by the state board of education.

SEC. 52. The state board of education shall have discretionary power to issue provisional
2 state certificates to candidates not meeting the complete academic and professional require-
3 ments but who pass such other tests as the board may prescribe.

SEC. 53. All classes of state certificates except provisional certificates, shall be valid for a
2 period of five years. At the close of said five-year period, upon proof of at least three years of
3 successful teaching, the state board of education shall renew said certificates for a subsequent
4 period of five years. At the close of said period of renewal, upon proof of six years' successful
5 experience in teaching under any of the foregoing classes of certificates, upon unanimous rec-
6 ommendation of the state board of education, said certificate may be validated for life. Pro-
7 visional certificates shall not be issued for a period of more than one year and shall not be
8 renewable.

SEC. 54. The unlimited state certificate shall be valid as a license to teach, supervise or
2 superintend public schools in any capacity, in any school corporation in the state. It shall also
3 license the holder for the office of state superintendent of public instruction. The limited state
4 certificate shall be valid in any school corporation in the state as a license to teach or super-
5 vise any of the branches or lines of work indicated by the name of the certificate, and such
6 other branches from "B" in section fifty-one as have been passed in the examination for the
7 certificate. Provisional state certificates shall be valid only for the portion indicated in such
8 certificate.

SEC. 55. 1. The state board of education shall grant unlimited state certificates to gradu-

2 ates from the liberal arts, general science or teachers' courses of the State University of Iowa,
3 the Iowa State College of Agriculture and Mechanic Arts or to graduates from corresponding
4 and fully equivalent courses of other colleges approved by said board, provided that all candi-
5 dates for the state certificate through graduation shall have successfully completed in connec-
6 tion with or in addition to the foregoing courses, a professional training equivalent in charac-
7 ter and amount to that prescribed by the state board of educational examiners at the time
8 of the passage of this act. Provisional certificates may be granted graduates not meeting all
9 of the professional requirements.

10 2. The state board of education shall also grant state certificates to graduates from the
11 regular, special and technical courses of the state normal school, and to graduates from cor-
12 responding and fully equivalent courses of other institutions approved by said board. Gradu-
13 ates from the regular advanced courses shall be entitled to unlimited state certificates and
14 graduates from the elementary, special and technical courses shall be entitled to limited state
15 certificates.

16 3. The state certificates granted in recognition of graduation from collegiate and normal
17 school courses shall be valid and renewable under the same conditions as the respective grades
18 of state certificates granted upon examination.

19 4. The state board of education shall be the sole judge of the qualifications and fitness of
20 an institution to become accredited for the purpose of granting state certificates upon grad-
21 uation therefrom.

SEC. 56. The state board of education is hereby empowered to validate certificates issued
2 by state departments of education in other states, where such certificates were issued upon
3 evidence of scholarship, professional training and experience equivalent to that required for
4 like certificate under the laws of this state.

SEC. 57. No person shall be employed as a teacher, principal, city, county or district super-
2 intendent of public schools or receive compensation from the school funds therefor, who does
3 not possess a certificate issued by the state board of education. On and after September 1,
4 1910, the following provisions relating to grades of certificates required for certain positions
5 shall be enforced. No person shall be eligible to teach in a four-year high school or to act as
6 principal of any high school, as city superintendent or county superintendent of schools, or
7 as principal of a ward school having seven or more teachers, who does not possess a state cer-
8 tificate in full force. No person shall be eligible to teach in a three-year or a two-year high
9 school who does not hold a first grade uniform county certificate or a state certificate.

SEC. 58. Any certificate granted or validated by the state board of education may be re-
2 voked by said board for any cause which would have authorized or required a refusal to grant
3 the same, provided the holder thereof shall have due notice and shall be allowed to appear
4 before said board to make defense.

SEC. 59. Nothing in this act shall be construed to invalidate any certificate previously
2 granted under the laws of the state of Iowa, but the same shall continue in effect until the
3 expiration of the time for which said certificate was granted, and may be renewed by the
4 state board of education under such conditions and regulations as they may prescribe, and any
5 contract made in good faith by and between any teacher, principal or superintendent and any
6 board of education under the provisions of the school laws of Iowa heretofore existing, is hereby
7 recognized as a valid contract during the life of such certificate, the same as if made under
8 the provisions of this act. Furthermore, the provisions of this act relating to special grades of
9 certificates required for certain positions shall not be retroactive in the case of teachers, prin-
10 cipals or superintendents in successful service in said grades of positions at the time of the
11 taking effect of this act.

SEC. 60. The county superintendent of each county shall hold annually one or more insti-
2 tutes for the professional instruction and guidance of the teachers in his county. The institute
3 may be arranged to meet the needs of special classes of teachers and so as to be most convenient
4 for teachers of different sections of the county. A total of six days' institute each year shall be
5 available to each teacher in the county and each teacher shall be required to attend the entire
6 time. Absence from the institute without cause shall be sufficient reason for the revocation of
7 the teacher's certificate, but teachers who have records of attendance upon not less than
8 twenty-four days of institute shall not be required to attend.

SEC. 61. The county superintendent shall conduct all institutes within his county and be
2 one of the instructors therein and shall so arrange the work of said institutes as to meet the
3 needs of the schools in said county. Problems affecting the schools of the county or special por-
4 tions thereof, methods of teaching, illustrative lessons, consideration of special text-books used
5 in the county, plans for special day programs, lectures by prominent persons upon educational
6 topics and other items of mutual interest shall all be considered as proper exercises in the
7 county institute. But the institute shall not be specifically used as a means of preparing
8 teachers for examinations or supplying academic training such as is afforded by the public
9 schools and higher institutions of learning.

SEC. 62. No person shall be eligible to instruct in an institute who has not been approved
2 by the state superintendent of public instruction as possessing especial qualifications for such
3 work and no money shall be paid for the services of any instructor or lecturer from the insti-
4 tute fund unless such person has been so approved. All arrangements as to time and instruc-
5 tional force to be employed in any teachers' institution must have in advance the approval of the
6 state superintendent.

SEC. 63. The institute shall be regarded as a means of advancement of the teaching profes-
2 sion and teachers shall be held accountable for attendance upon and participation in the exer-
3 cises thereof. The county superintendent may, if necessary, require teachers to pass an exam-

4 ination or to render reports upon the work of any given institute. Failure to pass such exam-
5 ination or render such reports shall be deemed sufficient cause for the revocation of or withhold-
6 ing of the teacher's certificate.

SEC. 64. To provide a fund for teachers' institutes one-half of all money received in each
2 county for examination fees shall become a part of such fund. There shall also be paid from
3 the state treasury two hundred dollars (\$200.00) annually into the institute fund of each county.
4 Each county school district shall also appropriate annually two hundred dollars (\$200.00)
5 for the institute fund of that county school district. The foregoing sums shall be designated
6 as the institute fund in each county. The county board of education may appropriate out of
7 the general fund of the county school district such additional sums as it may find necessary for
8 the adequate support of the county institute.

SEC. 65. In the employment of a county, city or district superintendent or a teacher or in-
2 structor in any public school a resolution duly adopted and entered upon the minutes of the
3 board of education or board of directors, as the case may be, specifying the position to be filled,
4 the salary to be paid and the terms of employment shall be sufficient evidence of such em-
5 ployment and the terms thereof and no other contracts shall be necessary. When a superinten-
6 dent, principal, teacher, or instructor is re-elected or re-employed after one year of service in
7 the position to be filled the employment shall continue without further election or contract.
8 Provided that any such employment may be terminated at any time by the proper board, for
9 cause, after a full and fair investigation made at a meeting of which the superintendent,
10 teacher, or instructor shall have had previous notice, and at which he shall be permitted to be
11 present and make defense. And provided further, that any such employment may be ter-
12 minated at the close of any school year by either party to the contract giving thirty (30) days'
13 notice in writing to the other party.

SEC. 66. No person related by consanguinity or affinity to any member of a board of educa-
2 tion or board of directors of an independent school district or to the secretary of either of
3 said boards nearer than the fourth degree shall be employed by any such board as a county,
4 city, or district superintendent or as teacher or instructor in any school under charge of such
5 board except upon unanimous vote of all members elected to said board upon call of ayes and
6 nays duly recorded on the minutes. No person related to the county, city, or district superin-
7 tendent by consanguinity or affinity nearer than the fourth degree shall be employed as teacher
8 or instructor in any school under the charge of such superintendent except upon unanimous
9 vote of all members elected to the board of education or board of directors employing such
10 teacher or instructor, call of the ayes and nays duly recorded in the minutes. Every contract
11 or employment in violation of the provisions of this section shall be void.

SEC. 67. All elections of superintendents, teachers, instructors, secretaries, and janitors,
2 shall be by ballot, unless otherwise ordered by unanimous consent of the board.

SEC. 68. For school purposes the state is divided into county school districts, each of
2 which shall embrace the territory of a county, including such territory as may be attached
3 thereto for school purposes, and excluding such territory as may be detached therefrom for
4 school purposes. Every such county school district shall be a school corporation and a body politic
5 and corporate, distinct from the organization of the county for other purposes, by the name of
6 “(name of county) County School District,” and as such may sue and be sued, contract and be
7 contracted with, acquire and hold real and personal property, and control, manage, improve
8 and dispose of the same; and may do such other acts and exercise such other powers as are
9 authorized by law. All school corporations, except independent school districts, heretofore
10 organized or existing are hereby dissolved.

SEC. 69. Whenever an independent school district is situated in two or more counties, the
2 whole of the territory thereof shall be a part of the county school district, in which at the time
3 of taking effect of this act, or at the time of the organization of said independent school district
4 if hereafter organized, the greatest number of the inhabitants thereof reside.

SEC. 70. Whenever by reason of streams or for other reasons the school interests will be
2 better served thereby, a portion of the territory of one county school district may by the con-
3 current action of the boards of education of both county school districts affected thereby, be
4 transferred to and made a part of another county school district.

SEC. 71. All property owned by the county for school purposes at the time of taking effect
2 of this act, and all thereafter acquired for school purposes by such county, and all property
3 theretofore owned by any school corporation heretofore existing within the territory of such
4 county school district, except independent school districts, and all property of any independent
5 school district which may be dissolved or which shall abandon its independent organization,
6 shall be the property of such county school district.

SEC. 72. There shall be prepared and kept in the office of the secretary of the county school
2 district as a part of the records thereof a map or maps, or other record which shall show the
3 boundaries of the county school district, the location and the boundaries of each independent
4 school district and of each school township therein, and all changes in said matters, and as
5 near as practicable the location of school houses. Copies thereof with copies of changes made
6 from time to time shall be filed with the county auditor, and with the superintendent of pub-
7 lic instruction.

SEC. 73. The county board of education in each county school district shall consist of three
2 members. They shall be elected at the regular school election and hold their offices for three
3 years. They shall be elected at large by the entire electorate of the county school district but
4 not more than one member shall be a resident of the same civil township and not more than
5 one member shall be a resident of an independent district. Members of the county board of
6 education shall qualify on or before the date for the organization of said board by taking the

7 usual oath required of civil officers. Any qualified director of the district may administer the
8 oath to a director-elect, or to the president of the board.

SEC. 74. At the first election held under this act there shall be elected the entire number
2 of members of the board of education for such county school district, and at the organization
3 of such board the terms of office of the members elected shall be determined by lot in such man-
4 ner that one of the members of such board shall hold for one year, one for two years, and one
5 for three years; at the annual school election thereafter there shall be elected the requisite
6 number of members to maintain the full membership of the board. Vacancies occurring in such
7 board of education shall be filled by members appointed by the remaining members to hold
8 office until the next regular school election, when a member shall be elected for the unexpired
9 term.

SEC. 75. The term of office of members of the board of education shall begin on the first
2 Monday in April, at which time the board of education shall meet and organize by electing one
3 of their number president. A secretary shall be elected from outside such board. Said secre-
4 tary, who shall possess ample educational qualifications, shall be nominated by the county
5 superintendent and shall act as assistant to the county superintendent when not employed as
6 secretary of said board. All elections of officers or of members to fill vacancies, or of county
7 superintendent shall be by ballot.

SEC. 76. The county board of education shall meet at the county seat on the first Mondays
2 in April, June, September, November and January, and on the first Monday after the regular
3 school election each year; and shall hold such special meetings as are provided for by law, or
4 as they may find necessary to properly transact their business. A majority of the board shall
5 constitute a quorum to transact business, but the affirmative vote of a majority of the members
6 shall be necessary to adopt or pass any measure.

SEC. 77. The members of the board of education shall receive no salary or per diem but shall
2 be reimbursed for their actual necessary traveling expenses while performing the duties con-
3 nected with said board.

SEC. 78. The board of supervisors shall furnish the county board of education and county
2 superintendent with suitable offices at the county seat together with fuel and lights necessary
3 and proper to enable them to discharge the duties of their respective offices.

SEC. 79. In addition to the powers and duties otherwise conferred or prescribed the board
2 of education of each county school district shall have and exercise the following powers and
3 shall perform the following duties:

- 4 1. The county board of education shall have and exercise jurisdiction over all territory
5 included within the county school district, except in independent districts maintaining a four-
6 year or a three-year high school.
- 7 2. They shall establish and keep in operation for at least one hundred and forty days each

8 year without reduction by reason of closing school on legal holidays or for other cause, and
9 longer if practicable, a sufficient number of free schools in each school township for the accom-
10 modation of all persons therein of and between the age of five years and the age of twenty-one
11 years and secure to all such persons the right and opportunity to an equal education in such
12 free schools.

13 3. They shall adopt and enforce all necessary rules, regulations and by-laws not inconsis-
14 tent with law for the management and government of all schools in the county school district,
15 but said rules, regulations and by-laws shall not be enforced in any independent school district
16 if in conflict with rules, regulations and by-laws lawfully adopted by the board of directors
17 thereof, or with orders or directions lawfully adopted by the electors of such independent
18 school district.

19 4. They shall enforce the laws relating to compulsory attendance and may provide for
20 the transportation of any child living two miles or more by public highway from the school at
21 which such child is required to attend and for the transportation of any child who, by reason of
22 physical infirmity, or of the condition of highways, or from other cause, is unable to attend
23 school.

24 5. They may submit to the electors of the county school district or to the electors of the
25 county school district outside of the independent districts, or to the electors of any independent
26 school district, or of any school township therein at the regular school election, or at a special
27 election, such propositions as they may deem proper or necessary.

28 6. They shall submit to the electors of the county school district outside of the independent
29 districts, or to the electors of independent school districts, or of any school township therein at
30 the regular school election, or at a special election, any proposition petitioned for by ten per
31 cent of the electors in the school district or school township, or by two hundred and fifty
32 electors of the county school district or one hundred electors of the independent school district
33 or school township affected.

34 7. They shall submit to the electors at any regular school election, or at a special election,
35 any proposition requested to be submitted by the convention of school officers of the county
36 school district.

37 8. They shall carry out any order or direction adopted or approved by the electors of the
38 county school district or any school township at a regular or special election.

39 9. They shall elect or employ a county superintendent of schools and such assistants as they
40 may deem necessary, and fix his salary or compensation.

41 10. They may elect or employ for any school township or townships maintaining a high
42 school, a district superintendent of schools and fix his compensation.

43 11. Upon nomination by the county superintendent, they shall employ such teachers and

44 special instructors as may be necessary for the efficient conduct of the schools under their
45 control, in the county school district and fix their compensation.

46 12. They may contract with the board of directors of independent school districts for the
47 maintenance of union schools or consolidated schools, either elementary schools or high schools,
48 and for the joint management and support of such schools for the instruction of all, or part of
49 the children residing in said independent school districts and adjoining school townships.

50 13. They may contract with independent school districts in the county school district for
51 instruction in one district or school township of children living in another district or school
52 township, the expenses incurred under such contract for tuition to be paid by the district in
53 which such child lives.

54 14. They shall provide the necessary revenue to maintain the schools under their control
55 in the manner provided by law.

56 15. They shall provide the schools under their control with the necessary buildings, grounds,
57 apparatus, supplies and fuel, and provide for the proper janitor service and for the care of
58 school houses and grounds.

59 16. They shall insure school property under their control, and shall keep the same in repair.

60 17. They shall provide each school house with a United States flag.

61 18. They shall visit and inspect the schools from time to time as the good of the schools may
62 require and subject to the approval of the superintendent of public instruction cause said
63 schools to be visited and inspected from time to time by competent visitors and inspectors and
64 pay reasonable expense thereof, and without such approval cause said schools to be visited
65 and inspected by competent visitors or inspectors serving without pay.

66 19. They may provide, by contract with independent districts within the county school dis-
67 trict, for the county superintendent to act as superintendent of the schools of the independent
68 districts so contracting.

69 20. A record of the proceedings of said board shall be kept by the secretary; and the ayes
70 and nays shall be taken and entered upon all appeals, and upon all questions relating to the
71 expenditure of money or the levy of taxes.

72 21. They may establish and maintain a county high school.

73 22. They may establish and maintain, either independently or with the aid of the state as
74 may be provided by law, a county teachers' training school, pending professional courses for
75 the preparation of teachers holding or preparing for uniform county certificates of the third
76 and second grades. Such school shall include courses in elementary agriculture and domestic
77 science as a part of the curriculum.

78 23. Any member may, on demand, have the ayes and nays taken on any vote or proposi-
79 tion; and all votes and propositions upon which the ayes and nays are demanded shall be re-
80 corded in full by the secretary, together with the vote of each member of the board thereon.

SEC. 80. The secretary of every school district shall each give bond to the school corporation in such penalty as the board may require, but in no case for less than five hundred dollars and with sureties to be approved by said board; which bond shall be filed with the president and shall be conditioned for the faithful performance of his official duties. He shall take the oath required of civil officers, which shall be indorsed upon the bond, and shall complete his qualifications within ten days. In case of a breach of the bond, the president shall bring action thereon in the name of the school corporation.

SEC. 81. The secretary shall file and preserve copies of all reports made, and all papers transmitted to him pertaining to the business of the corporation; keep a complete record of all the proceedings of the meetings of the board and the voters of the corporation in separate books; keep an accurate separate account of each fund with the treasurer, charge him with all funds received by him, and credit him with all orders drawn on each fund; and he shall keep an accurate account of all expenses incurred by the corporation, and present the same to the board for audit and payment. He shall record, in a book provided for that purpose, the number of votes cast for each candidate, when the votes cast at any election are canvassed, and for and against each proposition submitted. He shall collect all tuition due the corporation, and shall on the first day of each month or, as often as required by the board, pay the same to the county treasurer for the use of the corporation, taking proper receipt therefor.

SEC. 82. He shall draw each order on the treasurer, specify the fund on which it is drawn and the use for which the money is appropriated; countersign and keep a register of the same, showing the number, date, to whom drawn, the fund upon which it is drawn, the purpose and the amount; and at each regular annual meeting or oftener if required, furnish the board with a copy of the same. Each order must be signed by the president and no order shall be drawn except upon order of the board.

SEC. 83. He shall report to the superintendent of public instruction, the county auditor and the county treasurer the name and postoffice address of the president and secretary of the board as soon as practical after the qualification of each, and in case of independent school districts and school townships a like report to the secretary of the county school district.

SEC. 84. For purposes of local administration the board of education of each county school district shall divide the territory thereof lying outside of independent school districts into such school townships as convenience may require, defining the boundaries thereof, and may from time to time make such alterations in the number and boundaries thereof as they may deem proper. The description of the boundaries of each school township and of all alterations therein shall be recorded in full in the records of the board of education, and a copy of such record filed with the county auditor. Each school township shall be designated by some appropriate name or number. Until changed by the board of education the boundaries of school townships shall be the same as the boundaries of the heretofore existing school townships.

10 Whenever an independent school district is dissolved or abandons its independent organiza-
11 tion, the territory thereof shall be a school township until changed by the board of education.

SEC. 85. There shall be elected in each school township a board of school trustees consisting
2 of three members. At the first election held under this act there shall be elected three trustees;
3 and at the organization of the board the terms of office of the members elected shall be deter-
4 mined by lot in such manner that one member shall hold for one year, one for two years, and
5 one for three years; and thereafter one member shall be elected each year and hold office for
6 three years. Vacancies occurring shall be filled by members appointed by the board of educa-
7 tion until the next regular election, when a member shall be elected for the unexpired term.
8 They shall meet on the second Monday after the school election and organize by electing one
9 of their number president and one of their number secretary. They shall receive no salary or
10 other compensation for their services. School trustees shall qualify on or before the day for the
11 organization of the board of trustees by taking the usual oath required of civil officers. Any
12 qualified trustee may administer the oath to a trustee-elect, or to the president.

SEC. 86. The board of school trustees of each school township shall act as judges and clerks
2 of election at all school elections. They shall at least once in each term, and oftener, if re-
3 quested by the teacher, or the county or district superintendent, or the county board of educa-
4 tion visit each school in the school township. It shall be their duty to see that all school houses
5 in the township are kept in proper repair and condition; that the outhouses are kept in proper
6 repair and in the condition required by law and that the requirements of the law in regard to
7 fencing, use of barbed wire and planting of trees are observed. It shall also be their duty to
8 see that all rules and regulations of the county board of education, and the rules and regulations
9 of the boards of health in relation to schools, are observed and enforced. They shall report to
10 the board of education any repairs or improvements needed upon the school houses, outhouses,
11 fences or school apparatus and any breach of law, or of the rules and regulations of the county
12 board of education or boards of health. They shall have authority to incur expense in the sum
13 of not more than ten dollars in any one case in making repairs immediately necessary and shall
14 when directed by the board of education act as the agent of said board in making other repairs
15 and improvements and in other matters relating to the schools in such school township. They
16 shall once each term, and oftener, if requested, report to the board of education upon the condi-
17 tion of each school in the school township, the condition of the schoolhouse, outbuildings,
18 school grounds and apparatus and what repairs, additions or improvements are needed, the
19 school attendance, the efficiency of the school and all other matters necessary, of which may be
20 required by the board of education.

21 It shall also be their duty to see that all the provisions of law in respect to heating, light-
22 ing, ventilation, safety from fire and hygienic and sanitary conditions are complied with, to re-

23 port to the board of education any violation thereof, and if necessary to cause the school to be
24 closed until such provisions of the law are complied with.

SEC. 87. An independent school district is a territory organized as such. The several inde-
2 pendent districts heretofore organized shall continue as such until dissolved or discontinued as
3 provided by law. Every independent school district shall be a body politic and corporate by the
4 name of the Independent School District of (naming the city or town, or if there are two or
5 more therein, then some appropriate name approved by the Board of Education),” and as
6 such they may sue or be sued, contract and be contracted with, acquire and hold real and per-
7 sonal property, and control, manage, improve and dispose of the same, and do such other acts
8 and exercise such other powers as are authorized by law, and shall have and exercise jurisdic-
9 tion over all public schools and school affairs within the territory thereof, except as otherwise
10 provided by law.

SEC. 88. Every independent school district which contains, according to the last state or
2 national census, a population of fifteen thousand or more shall be an independent school district
3 of the first class, and shall have a board of directors of three members; every independent
4 school district which contains, according to the last state or national census, a population of
5 two thousand and less than fifteen thousand shall be an independent school district of the sec-
6 ond class, and shall have a board of directors of three members; every other independent
7 school district shall be an independent school district of the third class, and shall have a board
8 of directors of three members. The members of the board of directors of existing independent
9 school districts shall continue in office until their respective terms expire, and there shall be
10 elected at the regular school election such number of directors as may be necessary to fill any
11 vacancies and keep full the membership of the board. The directors shall be elected for three
12 years, and shall be divided into classes so that the term of office of one of the members shall ex-
13 pire each year.

14 The term of office of members of the board of directors of an independent district shall begin
15 on the first Monday in April, at which time the board shall organize by electing one of the
16 members present. The members of said board shall qualify on or before the date for the organ-
17 ization of the board by taking the usual oath required of civil officers. Any qualified director
18 of the independent district may administer the oath to a director-elect or to the president of
19 the board.

SEC. 89. When a petition describing territory which it is proposed to organize into an inde-
2 pendent district is signed by ten or more qualified electors residing on said territory, and is filed
3 with the secretary of the county board of education, said board, at the next regular meeting, or
4 at a special meeting called for that purpose, provided that said petition shall have been filed
5 at least twenty days prior to such regular or special meeting, if it approves the formation of
6 such district, shall establish the boundaries of a proposed independent school district, such as

7 may best subserve the convenience of the people for school purposes, and shall give the same no-
8 tice of an election as in other cases, at which election all voters residing within the contemplated
9 independent school district shall be allowed to vote for or against the organization of such inde-
10 pendent school district. No independent school district shall hereafter be organized which,
11 when organized, shall contain less than four square miles of territory, or which, when organ-
12 ized, has less than 100 actual residents between the ages of 5 and 21 years. At the election to
13 vote upon the organization of an independent school district there shall be elected three direc-
14 tors, and if the district is organized they shall meet and organize as a board of directors on the
15 first Monday occurring ten days after said election, and at said time shall determine by lot the
16 term for which they will hold, so that their successors will be elected respectively at the first,
17 second and third regular school election thereafter. The county board of education shall appoint
18 three resident voters of said proposed independent district, who shall act as judges and clerk of
19 said election; and in case either shall fail to attend, the others shall choose a voter to act in his
20 place. The judges and clerk shall canvass the votes cast, and make returns to the board of edu-
21 cation within two days after the election is held. District, township and county lines shall not
22 bar the organization of independent districts, but independent districts from which territory is
23 taken shall not be reduced below six sections, and territory included within the corporate limits
24 of a city or town or the platted portion of a village shall not be divided.

SEC. 90. By the concurrent action of the county board of education and the board of directors
2 of each independent school district affected thereby, the boundaries of independent school dis-
3 tricts may be changed, so as to add to or take from the territory thereof; or independent school
4 districts may be consolidated; or an independent school district may abandon its separate or-
5 ganization and be dissolved.

6 When the boundaries of an independent school district are changed, or two independent
7 school districts are consolidated, the directors and school trustees residing in the new district
8 shall constitute the board of directors thereof until the next regular school election, when a
9 board of directors shall be elected as provided by law, but if there are less than three such direc-
10 tors or trustees residing in such new district the board of education shall appoint one or more
11 directors necessary to make the members of said board three in number, and such members
12 shall hold office until their successors are elected at the next regular school election.

SEC. 91. Immediately after the organization of a new independent school district or a change
2 of boundaries of existing independent school districts the board of directors of the districts af-
3 fected, including the board of education of the county school district, if such district is affected
4 thereby, shall make an equitable division of assets and liabilities. If said boards are unable to
5 agree the matters upon which they disagree shall be determined by three arbitrators to be ap-
6 pointed by the district court. Their decision shall be final. Such decision shall be in writing and
7 copies thereof filed with the county treasurer, with the secretary of the county school district

8 and with the secretary of each independent school district affected, and when so filed shall be
9 final and the county treasurer shall adjust his accounts in accordance therewith.

SEC. 92. Whenever a petition requesting the dissolution of an independent school district,
2 signed by ten or more voters thereof, is presented to the board of directors of such district,
3 said board shall submit the question to the voters at the next regular school election, and if a
4 majority of the votes cast upon the proposition be in favor of such dissolution, said independent
5 school district shall thereupon be dissolved.

SEC. 93. Whenever an independent school district shall be unable, or shall fail to maintain
2 schools of proper grade or efficiency, and such fact is reported to said County Board of Edu-
3 cation by the county superintendent, the county board of education shall give ten days' notice
4 in writing to the directors thereof to appear at the next regular meeting of said board of edu-
5 cation and show cause why said independent district should not be dissolved; and if no suffi-
6 cient reason is given why said independent organization should be continued, or if it shall find
7 that the school interests will be best served thereby, the board of education shall by resolution
8 dissolve said independent school district. The board of directors of such independent school
9 district may appeal from such action of the board of education to the superintendent of public
10 instruction. But the provisions of this section shall not apply to independent districts of the
11 first or second class.

SEC. 94. Each independent school district of the first class shall establish and maintain a sys-
2 tem of common schools providing a full graded school course; and shall establish and maintain
3 a four-year high school. Each such school di-strict may also establish and maintain such un-
4 graded schools as may be necessary to provide instruction in common school branches for such
5 pupils as cannot for sufficient reasons be instructed in the graded schools. Each such school
6 district may also establish and maintain in connection with the graded schools in such district
7 a kindergarten department for the instruction of children of four years and not over six years
8 of age. Each such school district may also provide for and maintain manual and industrial
9 training schools or manual industrial training departments in connection with the graded
10 schools or the high schools or both, and may also provide for and maintain night schools.

SEC. 95. Each independent school district of the second class shall establish and maintain a
2 system of common schools providing a full graded school course; and shall establish and main-
3 tain at least a three-year high school. Each such district may also establish and maintain such
4 ungraded schools as may be necessary to provide instruction in common school branches for
5 such pupils as cannot for sufficient reasons be instructed in the graded schools. Each such
6 school district may also establish and maintain a kindergarten for the instruction of children
7 of four years and not over six years of age. Each school district may also provide for and main-
8 tain manual and industrial training schools, or manual and industrial departments in connec-
9 tion with the graded schools or high school or both, and may also provide for and maintain

10 night schools.

SEC. 96. Each independent school district of the third class shall establish and maintain at
2 least one graded school providing a full common school course; and may in addition establish
3 and maintain such ungraded schools as may be necessary to provide instruction in common
4 school branches for such pupils as cannot for sufficient reasons be instructed in the graded
5 schools, and may also establish and maintain a kindergarten for the instruction of children of
6 four years and not over six years of age and may also establish and maintain a high school, man-
7 ual and industrial training schools or departments, and night schools.

SEC. 97. The board of directors of independent school districts, in addition to the powers
2 and duties otherwise conferred or prescribed, shall have, exercise and perform the following
3 duties:

4 1. It shall establish and keep in operation for at least one hundred and sixty days of actual
5 teaching in each year, without reduction by reason of closing school on legal holidays or for
6 other cause, and longer if practicable, a sufficient number of free schools for the accommoda-
7 tion of all persons in the district of and between the age of five and the age of twenty-one, and
8 secure to all such persons the right and opportunity to an equal education in such free school.

9 2. It shall adopt and enforce all necessary rules, regulations, and by-laws not inconsistent
10 with law for the management and bovernment of the schools.

11 3. It shall enforce the laws relating to the public schools under its jurisdiction and may
12 provide for the transportation of any child living two miles or more by public highway from
13 the school at which such child attends and for the transportation of any child which by reason
14 of physical infirmity, or of the condition of the highways, or other cause, is unable to attend
15 school.

16 4. They may submit to the electors at the regular school election, or at a special election,
17 such propositions as they may deem proper or necessary.

18 5. They shall submit to the electors at the regular school election or at a special election,
19 any proposition petitioned for by ten per cent. of the electors, or by two hundred and fifty elec-
20 tors of the district.

21 6. They shall submit to the electors at the regular school election, or at a special election,
22 any propositions ordered to be submitted by the board of education of the county school district.

23 7. They shall carry out any order or direction adopted or approved by the electors at a reg-
24 ular or special election.

25 8. They shall elect or employ in an independent district of the first and second class a city super-
26 intendent of schools, and fix his salary or compensation and may elect or employ such city
27 superintendent of schools in independent districts of the third class.

28 9. They shall elect or employ such teachers or special instructors as shall be necessary for
29 the efficient conduct of the schools, and fix their salary or compensation.

30 They may contract with the board of directors of adjoining independent school districts, or
31 with the county board of education respecting adjoining school townships, for union schools or
32 consolidated schools, either elementary or high schools, and for the joint management and sup-
33 port of such schools for the instruction of all, or part of the pupils residing in said independ-
34 ent school districts or school townships, but all contracts must be approved by the board of edu-
35 cation of the county school district.

36 11. They may contract with other independent school districts in the state for instruction in
37 one district of pupils living in another district, and make like contracts with the board of edu-
38 cation, of the county school district in which such independent school district is situated, for
39 instruction in the schools under their respective jurisdictions, but all such contracts must be
40 approved by the board of education of the county school district in which the pupil resides.

41 12. They shall provide the necessary revenue to maintain the schools in said district in the
42 manner provided by law.

43 13. They shall provide the schools under their charge with the necessary buildings, grounds,
44 apparatus, supplies and fuel and provide for the proper janitor service and for the care of school
45 houses and grounds and other school property.

46 14. They shall insure school houses and property and keep same in repair and fence and
47 beautify school grounds when necessary or proper.

48 15. They shall provide each school house with a United States flag.

49 16. They shall visit and inspect the schools from time to time as the good of the schools may
50 require, and subject to the approval of the superintendent of public instruction cause said
51 schools to be visited and inspected from time to time by competent visitors and inspectors and
52 pay the reasonable expense thereof, and without such approval cause said schools to be visited
53 and inspected by competent visitors or inspectors serving without pay.

54 17. They may provide by contract with the county board of education for the county super-
55 intendent to act as superintendent of the schools of such independent district.

56 18. They may provide for medical inspection of schools and the pupils attending therein.

57 19. A record of the proceedings of said board shall be kept by the secretary and the ayes and
58 nays shall be taken and entered upon all questions relating to the expenditure of money and es-
59 timates of tax.

60 They shall elect a secretary, who shall hold office at the pleasure of the board and who shall
61 receive such compensation as the board may fix.

62 21. Any member may, on demand, have the ayes and nays taken on any vote or proposi-
63 tion; and all the votes and propositions upon which the ayes and nays are demanded shall be
64 recorded in full by the secretary, together with the vote of each member of the board thereon.

SEC. 98. It shall be the duty of the board of education of each school district to call together
2 at least once during each school year, at the county seat, all school officers in the county for the

3 consideration and discussion of questions pertaining to school administration and for advice
4 and instruction thereon.

SEC. 99. It shall be the duty of all members of the board of education, directors of independ-
2 ent school districts, trustees of school townships and county, city and district superintendents
3 to attend each such meeting of school officers, and each such school officer shall receive from the
4 general fund of the county school district as compensation therefor two dollars for each day's
5 attendance for not exceeding two days for any one meeting nor three days for any year, and in
6 addition three cents per mile for each mile actually traveled going and returning by the most
7 direct route. Any such school officer who shall fail to attend any such school meeting shall be
8 ineligible to re-election to his office unless such failure is excused for sufficient reasons by reso-
9 lution adopted by the board of education setting forth the reasons for such excuse.

SEC. 100. The school officers attending such school meeting shall elect one of their number
2 chairman and the secretary of the county school district shall be secretary thereof, and keep
3 a record showing the names of the persons in attendance and the proceedings had at the meet-
4 ing, which record shall be a part of the records of his office. In the absence of the secretary the
5 officers in attendance may appoint a secretary pro tempore. The meeting may, by resolution,
6 make recommendations to the board of education, and if the resolution shall so provide the
7 recommendation shall be submitted to the electors of the county school district at the next reg-
8 ular school election unless sooner granted by the board of education.

SEC. 101. The regular school election shall be held on the first Monday in March each year.
2 Special elections may be held in any county school district or in one or more independent dis-
3 tricts or school townships thereof whenever provided for by law or directed by the county board
4 of education. Special elections shall also be held in independent districts when ordered by the
5 county board of education or when required by law.

SEC. 102. Every person qualified to vote at a general election may vote at any school elec-
2 tion. Any woman having the qualifications to vote at general elections may vote at all school
3 elections, upon all questions pertaining to any school matters except election of officers. The
4 votes of women shall be deposited in separate ballot boxes and be separately canvassed. Wom-
5 en shall be eligible to election or appointment to any school office upon the same terms and
6 conditions as apply to men.

SEC. 103. Each school township and independent school district shall constitute an election
2 precinct, but in school townships and independent school districts containing two or more pre-
3 cincts, or parts of precincts for voting at general or city elections each such precinct for voting
4 at general or city elections or part of precinct shall be a voting precinct at such school elec-
5 tion. The election shall be conducted and the vote canvassed and returned the same, as near
6 as may be, as in case of general elections except as in this act otherwise provided.

SEC. 104. In independent school district and school townships in which registrations of

2 votes is required the polls shall be open from nine o'clock a. m. until seven o'clock p. m. in all
3 other independent school districts and school townships the polls shall be open from one o'clock
4 p. m. until six o'clock p. m. but the board of education may in the notice of election provide for
5 opening the polls not earlier than nine o'clock a. m. and for closing the same not later than
6 seven o'clock p. m.

SEC. 105. The county board of education shall cause notice of all general and special school
2 elections held in the county school district, to be published in two or more newspapers of gen-
3 eral circulation therein for at least two weeks immediately preceding the election; said notice
4 shall also be posted for the same time in each school township, and in each independent dis-
5 trict. Said notice shall state the officers to be voted for and the several propositions to be voted
6 upon; and when a proposition is submitted to a particular school township such fact shall be
7 plainly stated.

8 The board of directors of each independent district shall cause a notice to be posted in five
9 public places therein for at least two weeks immediately preceding any general or special
10 school election, which notice shall state the officers and propositions to be voted upon at such
11 election by the voters of such district. When practicable such notice shall be published for the
12 same time in some newspaper of general circulation in such district.

SEC. 106. When a proposition is to be submitted to the electors it shall be printed in full upon
2 a separate ballot. It may be preceded by the words "Shall the following proposition be ad-
3 opted?" or the proposition itself may be stated in the form of a question, without being pre-
4 ceded by such words. The ballot shall be substantially in the form provided by Code, Section
5 Eleven Hundred and Six (1106) for the admission of constitutional amendments and other pub-
6 lic measures, so far as the said section may be applicable, except as otherwise provided for.
7 Propositions shall only be submitted to, and voted upon by, the voters residing in the territory
8 immediately concerned therein or to be affected thereby, unless otherwise specially provided.

SEC. 107. All ballots for the submission of propositions to the electors of an independent dis-
2 trict only, or for the election of officers thereof, shall be printed, and shall be provided by the
3 secretary under the direction of the board of directors of such district. All other ballots at
4 school elections, except as otherwise provided, shall be printed, and shall be provided and dis-
5 tributed under the direction of the county board of education, except that at the first election
6 held under this act such ballots shall be prepared and distributed by the county superintend-
7 ent and the reasonable expense thereof shall be paid by the county school district. But any per-
8 son may prepare and circulate ballots for the election of school trustees in school townships,
9 and such ballots may be either written or printed; and no such ballots for school trustees shall
10 be rejected for any informality where the intent of the voter is apparent and the person voted
11 for eligible. Nothing in this act shall render invalid the use of voting machines in places where
12 used at general elections.

SEC. 108. All nominations for members of the county board of education shall be by petition, 2 signed by not less than one hundred persons qualified to vote for such officers; all nominations 3 for members of the board of directors of independent school districts shall be by petition signed 4 by not less than — per centum of the voters of such independent district as shown by the last 5 election of directors. All petitions must be filed not less than thirty days prior to the school 6 election; in independent districts the petitions must be filed with the secretary thereof, and in 7 county school districts must be filed with the secretary of the county board of education, ex- 8 cept that, at the first election under this act, they must be filed with the county superintendent. 9 Petitions for nomination may be in the following, or any equivalent form: "The undersigned 10 qualified electors of (name of district) hereby nominate (name of candidate) for the office of 11 (name of office) at the school election to be held (date of election)." Signatures thereto shall 12 be verified as genuine by some resident of the district, who shall also state, under oath, that 13 the signers are all residents of the district and are qualified to vote at general elections. Nom- 14 inations for school trustees shall not be required.

SEC. 109. In all precincts in which registration of voters is required at general elections the 2 register and lists of voters used at the last general election shall be used and for such purposes 3 shall be delivered by the city clerk to the official registrar. Registrars shall be appointed by the 4 county board of education or the board of directors of independent districts as the case may 5 be. The registrars shall meet on the day of election only and shall receive from the county 6 school district the same compensation as in the case of general and city elections. The regis- 7 trars shall meet on the day of election at the voting place in the precinct in which they have 8 been appointed and shall hold continuous session from 9 o'clock in the forenoon until 7 o'clock 9 in the afternoon. Any person claiming to be a voter, and who is not already registered in the 10 proper precinct, may appear before them in the election precinct where he claims he is entitled to 11 vote and make and subscribe under oath a statement in the registry book, which oath and state- 12 ment shall be of the same general character as that prescribed by section one thousand and 13 seventy-seven (1077) of the code, and shall thereupon be granted a certificate of rebistration.

SEC. 110. In precincts containing the whole of an independent school district or school town- 2 ship the members of the board of directors of the independent school district, or of the trus- 3 tees of the school township shall be the judges, and one of them shall act as clerk of elections; in 4 all other precincts the board of directors or county board of education, as the case may be, 5 shall appoint three electors residing in such precinct who shall act as judges of election and one 6 of them shall act as clerk. Should any of said persons fail to attend, their places shall be filled 7 by the voters from those in attendance. The judges and clerk shall qualify in the same manner 8 and shall receive the same compensation as judges and clerks of a general election.

9 As soon as the polls are closed the judges and clerk shall publicly canvass the votes and shall 10 certify and make returns to the secretary of the board of education of the votes cast for each

11 office, and upon each question or proposition.

SEC. 111. The county board of education shall meet on the first Monday after the election and
2 canvass the returns made to the secretary of the board of education and declare the result and
3 issue certificates of election to the persons elected, and shall by proclamation published in two
4 newspapers in the county give notice of all propositions adopted at such election by the entire
5 county school district or any part thereof.

SEC. 112. At the first regular school election held after this act takes effect, the returns here-
2 inbefore required to be made to the secretary of the board of education shall be made to the
3 county superintendent, who shall, on the Monday following said election, call to his assistance
4 two presidents of school boards of the county, and they three shall constitute the board of can-
5 vassers and shall canvass the returns and declare the result and perform the other duties in re-
6 spect thereto otherwise required of the board of education and the secretary thereof.

SEC. 113. All expenses of such school election including expense of registration, shall be au-
2 dited and paid by the county board of education.

SEC. 114. The county treasurer shall receive all money payable to the several school districts
2 in the county and disburse the funds of each district on warrants signed by the secretary and the
3 president of the district, and not otherwise. He shall keep separately a true account of all re-
4 ceipts and disbursements of the funds of each district and hold the same at all times open to
5 the inspection of the board of education and of the directors and officers of such district. All
6 tuition paid to him for any school corporation shall be placed in the teachers' fund thereof.

SEC. 115. He shall, on or before the tenth day of each month, transfer and credit to the pro-
2 per fund of each district the proceeds of taxes collected during the previous month, and shall
3 in like manner transfer and credit thereto any other money belonging to such district in his
4 custody. He shall keep a separate account of the several funds of each district, opening an ac-
5 count between himself and each of those funds, charging himself with all sums received for or
6 transferred to such fund and crediting himself with the amounts paid on each. Whenever a
7 part of the territory of the county is attached for school purposes to the county school district
8 of another county, he shall at said time transmit to the treasury of such other county the pro-
9 ceeds of all taxes belonging to said county school district with a report or statement showing
10 the several districts and funds to which said money belongs.

SEC. 116. When a warrant signed by the president and secretary of a school district is pre-
2 sented for payment and not paid for want of funds the treasurer shall endorse on said warrant a
3 note of that fact and the date of presentation, and sign it; and thenceforth it shall draw interest
4 at the rate of five per cent. He shall keep a record of the date, number and amount of the war-
5 rants presnted and endorsed for non-payment, which shall be paid in the order of such presen-
6 tation. He shall issue calls for outstanding warrants at any time he may have sufficient funds
7 on hand for which such warrants were issued; shall give notice to what number of warrants the

8 funds will extend, or the number or other description of warrants which will be paid, by post-
9 ing a written notice in the treasurer's office, and at the expiration of thirty days from the date
10 of posting such notice, interest on the warrants so named shall cease; and when any warrant
11 which draws interest is paid, he shall endorse upon it the date and the amount of interest al-
12 lowed. Every warrant paid or otherwise taken up shall be canceled and not reissued.

SEC. 117. The treasurer shall keep a record for each school district of all warrants on him
2 by the president and secretary thereof and presented, in a book so ruled as to show in separate
3 columns as to each warrant, the number, date, principal fund drawn on, name of drawee, when
4 paid, to whom paid, and amount of interest paid.

SEC. 118. He shall, on or before the fifteenth day of each month, report in writing to the sec-
2 retary of each district, showing the amounts received and the amounts paid out since the date
3 of last report, the balances on hand, and a list of warrants paid and amount paid on each. A
4 copy of the reports made to the secretary of independent school districts shall be by said treas-
5 urer at said time filed with the secretary of the county board of education.

SEC. 119. Within thirty days after this act takes effect it shall be the duty of every school
2 treasurer to pay to the county treasurer all moneys in his hands and to deliver to said county
3 treasurer all books, records and other property in his possession and custody as such school
4 treasurer and within thirty days thereafter to deliver to said board of education a full state-
5 ment of the condition of the funds of each of the several school districts and of all school funds
6 in his hands. Said books, records, and other property, other than money, shall be delivered by
7 the said county treasurer to the county board of education when said board is organized.

SEC. 120. The county treasurer shall deposit all school funds belonging to any school district
2 in his charge in such banks within the county as shall file with him bonds approved by him
3 and by the county board of education to secure the safety of such funds. All banks receiving
4 such funds shall account for and be charged with the same rate of interest as is received by the
5 state treasurer on state funds deposited in banks. All interest received upon funds deposited
6 shall be credited to the several funds in proportion as near as may be to the amount of such
7 fund deposited.

SEC. 121. The county superintendent of schools of each county school district shall be elected
2 by the county board of education at any regular or special meeting. The person serving as
3 county superintendent shall possess a state certificate, but need not, at the time of election, be
4 a resident of the county. His compensation shall be fixed by said board but shall not be less
5 than fifteen hundred dollars (1,500.00) per annum, and all his necessary postage, stationery,
6 and traveling expenses. County superintendents in office at the time this act takes effect shall
7 be entitled to continue therein until July 1, 1911; but any vacancy occurring therein after the
8 election of the county board of education shall be filled by said board.

SEC. 122.

2 1. The county superintendent shall be the executive officer of said board, and shall visit and
3 superintend all the schools in the county school district except in independent districts having
4 a four year or a three year high school and also in such as these as do not employ a city super-
5 intendent. He shall exercise a general supervision over the schools under his charge, and
6 shall see that all provisions of the school laws and health laws, so far as they relate to the
7 schools or school officers under his supervision are observed and enforced. He shall especially
8 look after sanitary conditions, and see that the water closets are properly kept, and shall also
9 see to the enforcement of the laws relating to barb-wire fencing and to the teaching of physi-
10 ology and hygiene.

11 2. The county superintendent shall hold teachers' meetings, conduct teachers' institutes and
12 conventions of school officers; and shall give professional advice and assistance to teachers and
13 school officers within his jurisdiction; he shall superintend the grading of the schools under his
14 charge and the examinations for promotion; shall conduct examinations for county teachers'
15 certificates as required by law, and shall perform all professional service necessary to the suc-
16 cessful management of the schools under his charge, and such other duties as the law requires
17 or the county board of education may prescribe.

18 3. The county superintendent shall annually, in May, provide for the examination of all ap-
19 plicants for graduation from the schools under his charge, and shall issue certificates of gradu-
20 ation therefrom to all who successfully pass.

SEC. 123. The county superintendent shall make such reports as are required by law, or as
2 may be required by the state superintendent of public instruction, or the county board of edu-
3 cation; and he shall, from time to time, make such reports and recommendations as he may deem
4 advisable.

SEC. 124. The board of education of each county school district shall during the month of June
2 each even numbered year cause a complete census or enumeration to be made of all persons of
3 and between the ages of five and twenty-one years residing in the county school district on the
4 first day of said month, showing in separate lists for each independent school district and school
5 township the name, sex and age of each person and the name of the parent or guardian. Said
6 lists shall also show separately the number of persons in each independent school district and
7 school township of and between seven and fourteen years of age and the names of such children
8 who do not attend school, with the cause, as far as possible, of such failure to attend school.
9 Said list shall also show separately and for each independent school district and school township
10 the name, sex, age, postoffice address and name of parent or guardian of all persons of and be-
11 tween five and twenty-one years of age who are deaf and dumb, or blind or feeble-minded, and
12 by reason thereof are unable to obtain an education in the common schools.

SEC. 125. The board of education shall employ such number of competent persons as shall
2 be necessary to take the census and prepare the lists provided for and may pay therefor such

3 compensation as may be agreed upon, not exceeding the amount or rate allowed by law for tak-
4 ing a state census. If the board of education shall fail to cause such census to be taken or if
5 the superintendent of public instruction shall find the census taken is imperfect or unsuitable,
6 he may order a new census to be taken in any county school district, or part thereof, or may
7 cause the same to be made at the expense of said county school district by persons employed by
8 him. The secretary of the county school district shall, during the month of August, after a
9 school census is taken, file a synopsis thereof with the county auditor.

SEC. 126. The secretary of every independent school district and the secretary of every town-
2 ship shall, during the month of June each year file with the secretary of the county school dis-
3 trict a written report for the last year, showing the number of school houses in said district or
4 township, the number of rooms therein, the value of each and the condition as to repair and
5 whether the provisions of law in respect to heating, lighting, sanitation and protection from
6 fire have been complied with, the number and grade of schools taught and the number of days
7 taught in each, the number of pupils enrolled and the average attendance in each school, the
8 number of teachers employed and the average compensation per month, distinguishing sexes.
9 Said report shall also give a statement of the financial transactions, funds and debts of each
10 independent school district, and such further and additional information and statistics as the
11 superintendent of public instruction shall direct, or as may be provided by law.

SEC. 127. Each teacher shall keep a daily register which shall correctly exhibit the name
2 or the number of the school, the independent district or school township and county in which
3 it is located, the day of the week, month, year and the name, age and attendance of each pupil,
4 and the branches taught; and when pupils reside in different districts or townships separate
5 pages shall be kept for each district, and a certified copy of the register shall immediately at
6 the close of the school be filed by the teacher in the office of the secretary of the board.
7 Where such report is filed with the secretary of the independent school district he shall file a
8 copy thereof with the secretary of the county school district. The teacher shall file with the
9 county or city superintendent such reports in such manner as he may require.

SEC. 128. The secretary of the county school district shall file and preserve in his office
2 all lists and returns relating to the school census and all reports by school officers and teach-
3 ers and shall, during the month of July each year, file with the superintendent of public in-
4 struction a report showing all the information appearing on said lists and reports, or so much
5 thereof as said superintendent may require, together with a statement of the financial trans-
6 actions, funds and debts of the county school district, and each independent school district
7 therein, and such additional information in relation to the public schools and school interests
8 as said superintendent may direct. He shall, from time to time, file with the superintendent
9 of public instruction such further and additional reports as may be required by law or by the
10 superintendent of public instruction.

SEC. 129. The superintendent of public instruction shall prepare and cause to be printed
2 and distributed blanks and forms to be used in taking and reporting the school census and
3 in making all reports by teachers and school officers and all reports required by law to be
4 made shall be made upon such blanks and forms. He shall also compile and cause to be printed
5 and distributed a synopsis of the reports filed with him or so much thereof as shall be deemed of
6 sufficient public interest. The expense of printing and distributing said blanks and forms and
7 of compiling, printing and distributing the synopsis of said reports shall be audited and paid
8 in the same manner as other like expense incurred by the superintendent of public instruction.

SEC. 130. When requested, the attorney general shall give his opinion in writing upon all
2 questions of law submitted to him by the superintendent of public instruction or state board
3 of education. He shall appear for the state, or superintendent of public instruction, or state
4 board of education in all actions and proceedings relating to the public schools or the educa-
5 tional interests of the state when requested so to do by the superintendent of public instruc-
6 tion or state board of education, and for the state or any school district or public educational
7 institution or any school officer when so provided by law, or where he shall deem necessary
8 for the protection of the educational interests of the state.

SEC. 131. The county attorney shall, when requested by the school officer or board so to
2 do, give opinions in writing to any public school officer or board upon all questions of law re-
3 lating to school property or the educational or school interest, or relating to the duty of such
4 officer or board or any other school officer or board or persons charged with any duty relating
5 to the educational or school interests of the state. He shall, when requested by any school of-
6 ficer or board, or when directed by the governor, attorney general, superintendent of public
7 instruction, or state board of education, appear and prosecute or defend in all courts of his
8 county all actions or proceedings in which the state or any school district or public educa-
9 tional institution or school officer or board is a party or which relate to or affect the educa-
10 tional or school interests of the state. Such service shall be rendered in his official capacity
11 and without additional compensation.

SEC. 132. The board of education of any county school district having a population of forty
2 thousand or over shall have power to employ at their regular meeting in June each year, a
3 county school attorney, who shall receive such salary as may be fixed by the board, payable
4 in equal quarterly installments, whose duty it shall be to give without additional compensation
5 when requested by any public school officer or board opinions in writing upon all questions of
6 law relating to school property or the educational or school interests or relating to the duty
7 of such officer, or board, or any other school officer, or board or other person charged with
8 any duty relating to the educational interests of the state. The board of education may in
9 the contract of employment provide that said county school attorney shall appear and prose-
10 cute all actions and proceedings to which the county school district or board of education

11 shall be a party or in which the county school district may be interested or which affect the
12 school interest of the State within such county school district, and may also provide for the
13 compensation to be paid for such services.

SEC. 133. The board of directors of any independent school district may employ counsel to
2 appear for said district, or any officer thereof, and prosecute or defend any action or proceed-
3 ing in which the district is a party or is interested or which affect the educational interests
4 therein, and for the expense thereof the district shall be liable.

SEC. 134. Any person aggrieved by any decision or order of the board of directors of any
2 independent school district or board of trustees of any school township in a matter of law or
3 fact may within thirty days after the rendition of such decision or the making of such order,
4 appeal therefrom to the county board of education of the county school district; the basis of
5 the proceedings shall be an affidavit filed with the secretary of the county school district by the
6 party aggrieved within the time for taking the appeal, which affidavit shall set forth any error
7 complained of in a plain and concise manner.

SEC. 135. The secretary of the county school district shall, within five days after the filing
2 of such affidavit in his office, notify the secretary of the proper independent school district or
3 school township in writing of the taking such appeal. The latter shall, within ten days after
4 being notified, file in the office of the secretary of the county school district a complete tran-
5 script of the record and proceedings relating to the decision complained of, which transcript
6 shall be certified to be correct by the secretary. After the filing of the transcript aforesaid the
7 secretary of the county school district shall notify in writing all persons adversely interested
8 of the time and place where the appeal will be heard. At the time fixed for the hearing the
9 board of education shall hear testimony for either party, and shall make such decision as may
10 be just and equitable, which shall be final unless appealed from as hereinafter provided. The
11 substance of the evidence shall be written out and preserved for reference on appeal; or the
12 evidence may be taken in shorthand and transcribed on demand of either party, provided such
13 party shall defray the expense thereof.

SEC. 136. Any person aggrieved by any decision or order of the county board of education
2 of any county school district in a matter of law or fact except upon an appeal, may within
3 thirty days after the rendition of such decision or the making of such order apply for a review
4 thereof and a hearing thereon by the county board of education; the basis of the proceedings
5 shall be an affidavit filed as in case of appeal from the decision or order of a board of directors
6 of an independent school district and the proceedings shall be the same as near as may be, as
7 the proceedings upon such appeal.

SEC. 137. An appeal may be taken from any decision of the county board of education, ex-
2 cept in matters appealable to the district court, to the superintendent of public instruction
3 within the same time and in the same manner as provided in this act for taking appeals from

4 the board of education, as nearly as applicable, except that thirty days' notice of the appeal
5 shall be given by the appellant to the secretary of the county school district, and also to the
6 adverse party. The superintendent of public instruction shall immediately notify the county
7 superintendent of the filing of the affidavit. Within thirty days thereafter the county board of
8 education shall cause a complete transcript of the case to be prepared which shall be certified
9 by the county superintendent and transmitted to the superintendent of public instruction. The
10 decision when made shall be final. Nothing in this act shall be so construed as to authorize
11 either the county board of education or state superintendent to render judgment for money;
12 except as provided in Section One Hundred Forty-three (143) of this act, neither shall they
13 be allowed any other compensation than is now allowed by law.

Sec. 138. Any person aggrieved by any order or decision of a board of education upon any
2 matter pertaining to property or property rights affecting the county school district or an in-
3 dependent school district may appeal therefrom to the district court of the county within
4 thirty days after the order or decision is made and entered upon the records of said county
5 school district and any such order or decision not so appealed from shall be final. The appeal
6 shall be taken in the manner provided for appeals to the superintendent of public instruc-
7 tion as near as may be and the appeal shall be docketed and the proceedings thereon in the
8 district court shall conform as near as may be to the procedure in appeals in similar cases from
9 inferior boards and tribunals to the district court. Appeals taken to the wrong tribunal shall
10 not fail or be dismissed for that reason but shall be transferred to the proper tribunal.

Sec. 139. The secretary of the county school district in all matters triable before the board
2 of education shall have power to issue subpoenas for witnesses, which may be served by any
3 peace officer. The board of education shall have power to compel the attendance of those thus
4 served and the giving of evidence by them, in the same manner and to the same extent as the
5 district court may do, and such witnesses and officers may be allowed the same compensation
6 as is paid for like attendance or service in such court, which shall be paid out of the contin-
7 gent fund of the proper school corporation, upon the certificate of the secretary of the county
8 school district to and warrant upon the treasurer; but if the board of education is of the opin-
9 ion that the proceedings were instituted without reasonable cause therefor, or if, in case of an
10 appeal, it shall not be sustained, they shall enter such findings in the record, and tax all costs
11 to the party responsible therefor. A transcript thereof shall be filed in the office of the clerk
12 of the district court and a judgment entered thereon by him, which shall be collected as other
13 judgments.

Sec. 140. No action shall be brought against any school corporation upon any money claim
2 or demand until the same has been presented to the board thereof and payment demanded and
3 refused or action thereon neglected for more than sixty days. Any person aggrieved by the
4 action or decision of the board of directors of an independent school district upon any claim

5 or demand may appeal therefrom to the county board of education and the proceedings there-
6 on shall be the same as near as may be as in the case of other appeals herein provided for.

SEC. 141. The decision of the county board of education upon an appeal from the action or
2 decision of the board of directors of an independent school district upon a claim or demand
3 against such independent school district and the action or decision of said board of education
4 upon any claim or demand against the county school district shall be final unless within thirty
5 days thereafter an appeal therefrom is taken to the district court of the county. Said appeal
6 shall be docketed and proceedings thereon had the same as near as may be as in appeals from
7 justices of the peace.

SEC. 142. No member of a county board of education shall during the term for which he is
2 elected be a director of any independent school district, or trustee of any school township
3 within the county district. No member of a board of education and no member of a board of
4 directors of an independent school district and no trustee of a school township shall during
5 the term for which he is elected be employed within the county school district as county super-
6 intendent, city superintendent, district superintendent, teacher or instructor either for the
7 county school district or an independent school district therein. No member of a board of edu-
8 cation and no member of a board of directors of an independent school district and no trustee
9 of a school township shall during the term for which he is elected receive from the county
10 school district or from any independent school district within said county school district,
11 either directly or indirectly, by himself or through another, any salary, wages or other reward
12 or compensation, except the compensation fixed by law for members of the board of education,
13 and except the compensation for attending the convention of school officers or for any services
14 rendered during said period, for or in connection with the schools and school interests in said
15 county school district or any independent school district therein, and no member of a board
16 of education and no member of a board of directors of an independent school district and no
17 trustees of a school township shall during said period be interested, either directly or indirectly,
18 in any contract or job for work or materials or the profits thereof, or services to be furnished
19 to or performed for the county school district, or any independent school district therein, or be
20 interested directly or indirectly, as agent, officer, stockholder, employe or co-partner in the busi-
21 ness of any person, firm or corporation interested in any such contract or job for work, materials,
22 or services. Every contract made in violation of the provisions of this section shall be void and
23 any money paid in violation of the provisions of this section shall be a debt due from the person,
24 firm or corporation receiving the same and may be recovered at any time within ten years in an
25 action brought by the school district paying the same or in the name of such school district and
26 for its benefit by any taxpayer therein upon leave granted by the district court or a judge thereof.
27 Any violation of the provisions of this section shall be a misdemeanor and be punished accord-
28 ingly.

SEC. 143. The term "public school" shall be construed to include all public kindergartens,
2 common schools, high schools, night schools, vacation schools, industrial schools, manual train-
3 ing schools, and all other elementary and secondary schools maintained by public taxation.

SEC. 144. Every common school shall maintain courses of instruction covering the first eight
2 years or grades of the public school system. Instruction and training shall be given in reading,
3 spelling, writing, arithmetic, English grammar and composition, literature, geography, Iowa
4 history, history of the United States, civil government of the state of Iowa and of the United
5 States, physiology and hygiene with special reference to the influence of stimulants and nar-
6 cotics, the elements of vocal music, and drawing. Nothing herein contained shall be construed
7 as abridging the power of boards of any school corporation to cause instruction and training
8 to be given in elementary agriculture, domestic science, manual training, the elements of geo-
9 metry and algebra, and other branches which they may deem advisable for the best interests
10 of the school under their charge. The instruction in physiology and hygiene shall include the
11 effects upon the human system of stimulants, narcotics and poisonous substances and the in-
12 struction in this branch shall be as direct, specific and properly graded as that given in any
13 other essential branches.

SEC. 145. No school shall be maintained in any independent district or school township
2 which did not have an average daily attendance during the preceding school year of at least
3 six pupils of legal school age and which does not offer and maintain the minimum common
4 school course as described in this act except by approval in writing of the superintendent of
5 public instruction.

SEC. 146. A graded school is a school having a principal and one or more teachers and main-
2 taining as a minimum an elementary school course of study of eight or more years in length,
3 graded by years and presenting a regular and orderly sequence from year to year.

SEC. 147. There shall be two classes of graded schools, known respectively as first class and
2 second class. All graded schools having three or more teachers and not maintaining a high
3 school shall be in the first class, and all graded schools having two teachers shall be in the sec-
4 ond class. To be entitled to rank in either class, school must be maintained at least thirty-
5 two weeks in the year.

SEC. 148. A kindergarten is a school which receives children from the age of four to six
2 years inclusive and is regarded as preliminary in character to the elementary school defined in
3 this act. The kindergarten course shall not count toward any part of the work required under
4 this act relating to compulsory education nor as a part of the common school course.

SEC. 149. A high school is a school of a higher grade than a common school and shall de-
2 mand for entrance thereto a certificate of completion of the common school course or the equiv-
3 alent thereof. The subjects pursued in high schools shall be of an advanced character.

SEC. 150. 1. All high schools of the state of Iowa shall be classified as two-year, three-year,

2 and four-year high schools. All high schools shall have courses of study, buildings, equip-
3 ment, and teachers approved by the state board of education. No school shall be considered
4 as a high school which does not maintain school for at least thirty-six weeks in each year.

5 2. A four-year high school shall offer and maintain courses which cover a period of not less
6 than four years of not less than thirty-six weeks each in advance of the common school course
7 and in which not less than fifteen units shall be required for graduation; a unit being defined as
8 the completion of a subject or study taken five times per week during a year of thirty-six
9 weeks. Every four-year high school shall employ in addition to the superintendent thereof
10 at least three teachers whose time is devoted chiefly to high school instruction.

11 3. A three-year school shall offer and maintain a course of not less than three years of not
12 less than thirty-six weeks each year in advance of the common school course and in which at
13 least twelve units, previously defined, shall be required for graduation. Every three-year high
14 school shall employ in addition to the superintendent thereof at least two teachers whose time
15 is devoted chiefly to high school instruction.

16 4. A two-year high school shall offer and maintain a course of study covering not less than
17 two years in advance of the common school course and in which not less than eight units as
18 previously defined shall be required for graduation. Every two-year high school shall employ
19 in addition to the superintendent at least one teacher whose time shall be devoted chiefly to
20 high school instruction.

SEC. 151. Nothing herein contained shall be construed as abridging the power of boards of
2 school corporations to cause instruction and training to be given in subjects and grades or
3 years in addition to the minimum prescribed by law or required by the state board of educa-
4 tion.

SEC. 152. Any pupil who has successfully completed the eighth grade of any public school
2 and who has a certificate thereof from the county superintendent of schools of the county in
3 which such course was completed or from a city or village superintendent if such course was
4 completed in a graded school system, shall be entitled to attend any high school in the state
5 and to have his tuition paid by the district in which he resides if said district does not main-
6 tain a high school. No school district shall be obliged to accept pupils from other districts un-
7 less it possesses sufficient accommodations. The tuition shall not exceed seventy-five cents per
8 week.

SEC. 153. Any pupil who has completed the high school course in the district in which he re-
2 sides and who possesses a duly certified diploma from said school shall be entitled to enter the
3 succeeding grade or class in any high school in the state and to have his tuition paid by the
4 district in which he resides. No district shall be required to accept such pupils unless it pos-
5 sesses sufficient accommodations. The tuition shall not exceed one dollar per week.

SEC. 154. The board of directors of an independent school district, or the board of education

2 of an independent school district, shall have power to establish and maintain in connection
3 with the graded and high schools and as part of the system of schools therein, courses of in-
4 struction in industrial and manual training, domestic science or elementary agriculture.

SEC. 155. Such board of directors or board of education upon establishing such courses of
2 instruction and training, shall employ competent instructors in the various subjects to be
3 taught and establish such rules and regulations for the admission of pupils and the conduct of
4 the schools as will in their judgment produce the best results and give instruction to the larg-
5 est number of pupils practicable. They may provide for such instruction in separate rooms or
6 separate buildings, if in their judgment most advantageous.

SEC. 156. The board of directors of an independent school district, or the board of educa-
2 tion of a county school district, may establish and maintain a night school between the hours
3 of seven and nine and a half o'clock p. m., during the regular school terms as a part of the
4 system of schools therein, and shall keep and maintain such night school whenever petitioned
5 for by twenty or more inhabitants of such city having children between the ages of fourteen
6 and twenty-one years of age, or persons over twenty-one years and under thirty years of age,
7 and who by reason of their circumstances are compelled to be employed or have their children
8 employed and when such petitioners or the children of such petitioners desire to attend such
9 night school.

SEC. 157. All persons between the ages of fourteen and thirty, who are residents of such city,
2 and who are actually engaged in business or at labor during the day, shall be permitted to at-
3 tend such night school.

SEC. 158. The board of directors of any independent district may establish and maintain
2 schools to be kept open during the whole or part of the summer vacation. Attendance thereon
3 shall not be compulsory or considered a part of the school attendance required by law. Taxes
4 required for maintenance and the employment of teachers shall be under the control of said
5 board subject to the same regulations as govern the establishment and maintenance of day
6 schools.

SEC. 159. The board of directors of any independent district may employ public lecturers on
2 education, literary, historical, or scientific subjects, for the instruction of school pupils and
3 others in the community. The board may also provide cards or pamphlets giving reference to
4 the materials bearing on such lectures which may be contained in the local library.

SEC. 160. Persons of and between the ages of five and twenty-one years shall be of school
2 age and if not disqualified by disease or from other causes as provided by law shall be en-
3 titled to attend and receive free instruction in the public schools of the county school district
4 or independent school district in which they reside but the board may determine the school at
5 which pupils shall attend. It shall be the duty of the boards of education of county school dis-
6 tricts and boards of directors in independent school districts to provide for instruction to all

7 persons of school age in common schools and high schools as defined in this act and if schools
8 of the required grade are not maintained in the county school district or independent school
9 district then it shall be the duty of such board to provide for and pay the tuition in some other
10 independent school district or county school district for persons who shall apply for and be en-
11 titled to such instruction.

Sec. 161. When kindergartents are maintained in an independent school district or school
2 township instruction therein shall be free to all children of and between the ages of four and six
3 years residing in the independent school district or school township. Where night or evening
4 schools are maintained in an independent school district or school township instruction therein
5 shall be free to all persons of and between the ages of fourteen and thirty years residing in the
6 independent school district or school township. Nothing herein shall be construed to prevent
7 the board of education of any county school district or board of directors of any independent
8 school district from providing for instruction in any school under the control of said board to
9 persons other than those herein guaranteed free instruction.

Sec. 162. Twenty days of teaching shall constitute a school month unless it be otherwise
2 specified in the contract, and all legal holidays except the day of any primary election or any
3 general election occurring on school days shall be counted, but no school shall be taught on
4 legal holidays. The board may give to any teacher employed, without deduction from his sal-
5 ary, the whole or any part of any time spent by him in attending the sessions of any institute
6 held in the county embracing any part of the district or in attending the meeting of any teach-
7 ers' association, upon such teachers furnishing to the secretary, to be filed by him, a certificate
8 of regular attendance on such institute or teachers' association, signed by the county superin-
9 tendent.

Sec. 163. No child of the age of seven to fourteen years inclusive shall be employed in any
2 business or service whatever, during any part of the term when the public schools of the inde-
3 pendent school district, or school township, in which said child resides, are in session, unless
4 such child has within the twelve months last past regularly attended school for the full period
5 required by law. No child under sixteen years of age, who cannot read at sight and write legi-
6 bly simple sentences in the English language, shall be employed at any service whatever,
7 whether with or without compensation, in any of the places, occupations, or employments
8 named in Section 2477a of the law as it appears in the supplement of the Code 1907, during
9 any part of the term when the public schools in the independent school district, or school
10 township, in which said child resides, are in session, unless said child has within the twelve
11 months last past regularly attended school for the full period required by law in relation to
12 children under fourteen years of age, or is regularly attending a public, private or parochial
13 school of the character described in the next section, or is regularly receiving equivalent in-
14 struction in a night school, or by a competent teacher.

15 Any person, whether employer, superintendent, foreman, parent, guardian, or person having
16 custody of such child, who shall employ or permit to be employed any child in violation of the
17 provisions of this section, shall be guilty of a misdemeanor, and upon conviction, shall be fined
18 not less than three dollars nor more than twenty dollars and the costs of prosecution.

SEC. 164. Any person having control of any child of the age of seven to fourteen years in-
2 clusive, in proper physical and mental condition to attend school, shall cause such child to at-
3 tend some public, private or parochial school, where the common school branches of reading,
4 writing, spelling, arithmetic, grammar, geography, physiology and United States history are
5 taught in the English language, or to attend upon equivalent instruction by a competent teach-
6 er elsewhere than school, for at least sixteen consecutive school weeks in each year, commencing
7 with the first week of school after the first day of September, unless the board of school direc-
8 tors shall determine upon a later date, which date shall not be later than the first Monday in
9 December. Provided that this section shall not apply to any child who lives more than two
10 miles from any school by the nearest traveled road except in those districts in which the pu-
11 pils are transported at public expense, or who is excused for sufficient reasons by any juvenile
12 court or judge thereof. Any person having control of a child whose employment is prohibited
13 by the preceding section shall cause such child to attend school during the entire portion of
14 the year which the schools of the independent district or school township of his residence are
15 in session. Any person who shall violate the provisions of this section shall be guilty of a
16 misdemeanor, and upon conviction thereof shall pay a fine of not less than three dollars nor
17 more than twenty dollars for each offense.

SEC. 165. It shall be the duty of each principal of each private or parochial school without
2 special request, once in June and once in December of each school year, and at any time when
3 requested in individual cases, and within ten days from the receipt of such request to furnish
4 to the secretary of the board of education and the secretary of the independent district or
5 school township in which said school is conducted a certificate and report of the names, ages
6 and attendance of the pupils in attendance at such school during the preceding year and from
7 time of last preceding report and any person having the control of any child between seven
8 and fourteen years of age inclusive, who shall place such child under private instruction not
9 in a regularly conducted school shall furnish a like certificate stating the name and age of such
10 child; and the period of time during which said child has been under said private instruction,
11 and any person having control of a child who is physically or mentally unable to attend school,
12 public or private, shall furnish proofs by affidavit or affidavits as to the physical or mental
13 condition of such child. All such certificates, reports and proofs shall be filed and preserved
14 in the office of the secretary as a part of the records of his office. It shall be the duty of said
15 secretary to furnish to any person interested, when so requested, certified copies of all certifi-
16 cates and affidavits contemplated by this section on file in his office.

SEC. 166. The county board of education or the board of directors of any independent school district may establish truant schools, or set apart separate rooms in any public school building for the instruction of children who are habitually truant from instruction as contemplated by this act. Such a board of education or board of directors may provide for the confinement, maintenance and instruction of such children in such schools, under such reasonable rules and regulations as they may prescribe. If any child committed or sent to the truant schools shall prove insubordinate and escape from such school during school hours, or absent himself or herself therefrom, without consent of the persons in charge thereof, then it shall be the duty of the person in charge of said school to file a complaint against such child in the Juvenile court of the county in which said child resides and said court shall proceed as provided by law.

SEC. 167. The county board of education or the board of directors of any independent school district may, and in independent school districts or school townships having a population of 20,000 or more shall, at their annual meeting in each year, appoint one or more truant officers, who shall serve for one year and who may be a constable or member of the police force or probation officer of the juvenile court whose duty it shall be to report violations of this act to the secretary of the independent district or school township and secretary of the board of education, and see to the enforcement of the provisions of this act. It shall be the duty of said truant officer or officers to apprehend and take into custody without warrant any child of the age of 7 to 14 years inclusive, who habitually frequents or loiters about public places during school hours without lawful occupation or cannot produce a certificate as above provided, also any truant child who absents himself or herself from school, and place him or her in charge of the teacher having charge of any school which said child is entitled to attend, and which school may be designated to said officers by the person having legal control of said child. Provided, however, in case the schools so designated by the parent or person having the care and control of said child be a public school it shall be such as directed by the rules and regulations of the school board and the statutes of the state, and if other than a public school, the maintenance of said child in such school shall be without expense to the school district or state. Upon failure of such child to properly attend or when, on report of the teacher having custody of the child, said child is shown to not properly conduct itself in the school where placed as herein provided the child may be removed therefrom by the board of education or board of directors and placed either in a public school or truant school conducted in said district. The truant officer or officers shall be entitled to such compensation for service rendered under this section as shall be fixed by the board of education or board of directors appointing him or them, which compensation shall be paid from the general fund of said district.

SEC. 168. It shall be the duty of the members of any board of education or of any board of directors, or any truant officers appointed by such board to enforce the provisions of this act,

3 to sue for and recover the penalties herein provided and to institute criminal proceedings
4 against any person violating the provisions of this act relating to school attendance or employ-
5 ment of children and any such officer neglecting to do so within thirty days after a written
6 notice has been served on him by any citizen of said independent school district or school
7 township or county superintendent of the county within which the offending person shall re-
8 side, shall himself be liable for a fine of not less than \$10 nor more than \$20 for each offense.

SEC. 169. All teachers of the public schools of the state, and county superintendents and
2 school officers and employes shall promptly report to the secretary of the board of education
3 and secretary of the independent school district or school township any violation of the pro-
4 visions of this act relating to school attendance and employment of children, of which they
5 have knowledge or information, and he shall promptly inform the president of the board
6 thereof and such president shall, if necessary, call a meeting of the board of education or
7 board of directors to take such action thereon as the facts shall justify, and any child placed in
8 any truant school may be discharged therefrom at the discretion of the board, upon sufficient
9 assurance of the future good conduct of such child.

SEC. 170. The board of education and the board of directors of every independent school dis-
2 trict is hereby authorized to provide such reasonable methods of punishment of children who
3 are habitually truant from school or who habitually frequent or loiter about public places
4 during school hours without lawful occupation as may be necessary to carry on and make ef-
5 fectual the provisions of this act.

SEC. 171. Any detention home and school established pursuant to the law as it appears in-
2 Sec. 254-a29 and 259-a30 of the supplement to the Code of 1907, and any property acquired
3 and proceeds of any tax levied for such purpose shall be the property of the county school dis-
4 trict, and all the powers in such act conferred upon or to be performed by the board of super-
5 visors are hereby transferred to, and shall be possessed and performed by the board of edu-
6 cation. Any such detention home and school may, with the approval of the juvenile court, be
7 used also as a truant school or a truant school and a detention home and school may with the
8 approval of said court be combined or established in the same building or on the same prem-
9 ises. The juvenile court shall have and may exercise jurisdiction in any case arising under the
10 provision of this act in relation to school attendance or employment of children.

SEC. 172. The board of directors of any independent district or board of trustees of any
2 school township may by majority vote expel any pupil attending school therein, for immoral-
3 ity, for a violation of the rules and regulations established by said Board or by the County
4 Board of Education, or when the presence of said pupil is detrimental to the best interests of
5 the school or any teacher, principal, or superintendent may for like cause dismiss a pupil but
6 immediate notice thereof with a statement of the reasons therefor shall be given to the presi-

7 dent of the Board of Directors or Board of Trustees as the case may be. When a pupil is dis-
8 missed by the teacher, principal or superintendent he may be readmitted by such teacher,
9 principal or superintendent or after investigation by the Board of Directors or the Board of
10 Trustees. When a pupil is expelled or dismissed as above provided he shall upon request of
11 the pupil or his parents, guardian or person having control of said pupil be given a hearing
12 and trial before the Board of Directors or a committee thereof or before the Board of Trustees.
13 Upon hearing the Board shall take evidence if offered and keep a record of proceeding and
14 from the decision of the Board an appeal may be taken to the county Board of Education by
15 the pupil or his parents, guardian or person having control of said pupil or by the teacher,
16 principal or superintendent by whom he was dismissed or by person preferring charges.

SEC. 173. It shall be unlawful for any pupil registered as such and attending any public high
2 school to participate in or be a member of any secret fraternity or secret organization or so-
3 ciety whatever that is in any degree a school organization, and it shall be unlawful for any
4 person to solicit any such pupil to join or take part in the formation of any such fraternity, so-
5 ciety, or organization.

SEC. 174. No pupil who is a member of any such secret fraternity, organization or society
2 shall, while he is a member thereof, be permitted to attend any such high school or be permit-
3 ted to take part in any of the exercises thereof.

SEC. 175. Any person not a member of any high school who shall be upon the school
2 grounds or enter school building for the purpose of "rushing" or soliciting while there any
3 pupils enrolled therein to join any secret fraternity, organization, or society, or who shall upon
4 such school grounds, or within such school building solicit any pupil enrolled therein to join
5 any secret fraternity, organization or society shall be guilty of a misdemeanor.

SEC. 176. The publishers of any text book desiring to offer the same for sale for use in the
2 public schools of this state shall file two copies of such books in the office of superintendent of
3 public instruction together with a sworn statement of the list price and lowest net price at which
4 said book is sold anywhere in the United States under similar conditions, together with a fee
5 of ten dollars for each text-book so filed. A series of books by the same author and upon the
6 same subject shall constitute one book. Said publisher shall also file with the superintendent
7 of public instruction a written agreement to furnish said text-book at the prices so filed to the
8 board of education of any county school district, or the board of directors of any independent
9 school district, or any merchant or dealer in the state, and further agreeing to reduce said
10 prices if reductions are made elsewhere in the United States so that at no time shall said text-
11 book be sold in this state at a higher price than is received for the same in other parts of the
12 United States where similar conditions prevail, and further agreeing that all books offered
13 for sale in this state shall be equal in quality to the copy deposited with the superintendent of

14 public instruction, as regards paper, binding, print, illustration, and all points that affect the
15 value of said text-books.

SEC. 177. At the time of filing the samples, lists and statements provided for in the pre-
2 ceding section the publisher shall file with the superintendent of public instruction a sworn
3 statement that he has no understanding or agreement of any kind with any other publisher,
4 or any interest in the business of any other publisher, with the effect, design or intent to con-
5 trol the prices of such school text-books or to restrict competition in the adoption or sale
6 thereof. Before being licensed to sell school text-books in this state the publisher thereof shall
7 file with the superintendent of public instruction a sworn statement showing the ownership of
8 his publishing house with the interest, names and addresses of all owners or persons interested
9 therein and specifically stating whether said publisher, or the owner of any interest or share in
10 such publishing house is the owner of any interest or share in any other publishing house, and
11 if so, giving the name and address thereof.

SEC. 178. When any school text-book has been deposited, the fee paid, the agreement made,
2 and other provisions of this act complied with, said publisher shall file with the superintend-
3 ent of public instruction, a bond in the penal sum of two thousand dollars, guaranteeing a
4 compliance with the agreement filed with said text-book, and the payment of any damages or
5 penalty which may accrue on the violation thereof, and said text-book shall thereupon be en-
6 tered by the superintendent of public instruction in the list of school text-books permitted to
7 be used in the public schools of the state. The fees paid when such text-books are deposited
8 shall be paid into the state treasury and constitute a fund to be used to defray the expenses of
9 printing and distributing lists of accredited text-books and information relating thereto and
10 for other expenses incident to the filing and listing of text-books.

SEC. 179. Upon compliance with the foregoing provisions, said publisher shall be by the su-
2 perintendent of public instruction licensed to sell said text-book in this state. If in any case
3 the said publisher shall violate the agreement so filed with the superintendent of public in-
4 struction, or shall furnish books inferior in quality to the sample deposited, or demand higher
5 prices than the prices agreed upon said publisher shall be liable for each act to a penalty of
6 one hundred dollars to be recovered in a suit or said bond brought by the attorney general in
7 the name of the state and in such suit a reasonable attorney's fee shall be recovered in addi-
8 tion to said penalty.

SEC. 180. If at any time any publisher shall enter into any understanding, agreement or
2 combination to control the prices, or restrict competition in the adoption or sale of text-books,
3 or, if the statements required of and made by said publisher are untrue in any substantial
4 matter, or if said publisher, or his agent, or representative, shall give or offer to give any
5 school officer or teacher any money, gift, property or favor of any kind whatsoever to induce
6 the adoption or purchase of his school text-books, or the rejection of the school text-books of

7 another, then his license may be revoked by the state board of education and his text-books
8 omitted from the list of licensed school text-books. It shall be the duty of the attorney general
9 to bring proper legal proceedings for the revocation of the authority of such publisher and
10 thereupon contracts with said publisher may be avoided at the option of the other parties
11 thereto.

SEC. 181. The superintendent of public instruction shall during the month of January each
2 year furnish each county and district superintendent and the secretary of each county school
3 district and the secretary of each independent school district which maintains a high school, a
4 list of publishers who have conformed to the requirements hereinbefore set forth with a list
5 and description of school text-books, which have been accredited with the list prices and low-
6 est net prices of said books. Before entering into contract with any board of education or
7 board of directors, the publisher shall furnish the county or district superintendent and the
8 board of education or board of directors with a duplicate printed list of the school text-books
9 by him filed with the superintendent of public instruction, with the list prices and lowest net
10 prices shown on the statement filed herewith, with samples of the school text-books in said list
11 referred to and said list and samples shall be preserved as a part of the records of said board
12 of education or board of directors.

SEC. 182. The board of education of any county school district shall adopt for a period of
2 five years in the manner hereinafter provided, school text-books for all subjects that may be
3 taught in the public schools of such county school district, except in independent school dis-
4 tricts which maintain a high school. All school text-books so adopted shall be exclusively
5 used in the public schools in said county school district, except in independent school districts
6 which maintain a high school. The board of directors of any independent school district which
7 maintains a high school may adopt in like manner school text-books for a period of five years
8 which shall be used exclusively in all schools in said independent school district. The super-
9 intendent of public instruction shall prepare the form of contract to be used between school
10 districts and publishers and no other form of contract shall be used.

SEC. 183. In the purchasing of text-books it shall be the duty of the board of education or
2 board of directors to take into consideration the books then in use in the respective districts,
3 and they may buy such additional number of said books as may from time to time become
4 necessary to supply their schools, and they may arrange on equitable terms for exchange of
5 books in use for new books adopted.

SEC. 184. Any person or firm desiring to furnish books or supplies in any county shall, at or
2 before the time of filing his bid hereunder, deposit in the office of the secretary of the county
3 school district or independent school district samples of all text-books included in his bid, ac-
4 companied with lists giving the lowest wholesale and contract prices for the same. Said lists
5 shall remain in the office of said secretary and shall be delivered by him to his successor in of-

6 fice, and shall be kept by him in such safe and convenient manner as to be open at all times to
7 the inspection of such school officers, school patrons and school teachers as may desire to exam-
8 ine the same and compare them with others, for the purpose of use in the public schools. The
9 board of education or board of directors mentioned may require of any person or persons with
10 whom they contract for furnishing any books to enter into a good and sufficient bond, in such
11 sum and with such conditions and sureties as may be required by such board for the faithful
12 performance of such contract; only bonds of surety companies duly authorized under the laws
13 of Iowa shall be accepted.

SEC. 185. If at any time the publishers of such books as shall have been adopted by any
2 board of education or board of directors shall neglect or refuse to furnish such books when or-
3 dered by said board in accordance with the provisions of law, at the very lowest prices, either
4 contract or wholesale, that such books are furnished any other district or state board, then
5 said board may and it is hereby made their duty to bring suit upon the bond given them by the
6 publisher contracting.

SEC. 186. The board of education of every county school district in the state of Iowa is here-
2 by authorized and empowered to contract for and buy said books at said contract prices, ar
3 to sell the same and any and all other necessary school supplies to the pupils of their respec-
4 tive districts at cost. The books and supplies so purchased shall be under the charge of the
5 board who may select one or more persons within the county to keep said books and supplies
6 for sale, and to insure the safety of the books and moneys, the board shall require of each per-
7 son so appointed a bond in such sum as may seem to the board to be desirable. The text-
8 books so adopted shall be used exclusively in the public schools in said county school district
9 except in independent school districts which maintain a high school. The board of directors
10 in any independent school district which maintains a high school may in like manner adopt
11 and contract for and buy school text-books and supplies and sell them to the pupils of the dis-
12 trict. Said text-books shall be used exclusively in the public schools in said districts.

SEC. 187. Before purchasing text-books under the provisions of this chapter, it shall be the
2 duty of the board of education or board of directors to advertise, by publishing a notice once
3 each week for three consecutive weeks in one or more newspapers published in the county
4 said notice shall state the time up to which all bids will be received, the classes and grades for
5 which text-books and other necessary supplies are to be bought, and the approximate quan-
6 tity needed; and said board shall award the contract for said text-books and supplies to any
7 responsible bidder or bidders offering suitable licensed text-books and supplies at the lowest
8 prices, taking into consideration the quality of material used, illustrations, binding, and all
9 other things that go to make up a desirable text-book; and may, to the end that they shall be
10 fully advised, shall consult the county superintendent, or, in case of city independent districts,
11 with the city superintendent, with reference to the selection of text-books: Provided, that the

12 board may reject any and all bids, or any part thereof, and re-advertise therefor as above pro-
13 vided.

SEC. 188. The board of directors of any independent school district which has by law the
2 authority to make separate contracts for school text-books may by resolution accept the bene-
3 fit of any contract for school text-books made by the board of education of the county school
4 district and upon filing a copy of said resolution with the secretary of the county school dis-
5 trict said independent school district shall be entitled to the benefit of said contract to the same
6 effect and extent as if otherwise a party thereto.

SEC. 189. It shall be unlawful for any county board of education or board of directors,
2 except as provided by law, to displace or change any text-book that has been regularly adopted
3 or re-adopted, before the expiration of five years from date of such adoption or re-adoption,
4 unless authorized to do so by a majority of the electors voting upon a proposal to make such
5 change regularly submitted at a regular or special school election.

SEC. 190. The contract adopting text-books may provide for the sale thereof through dealers
2 and merchants in the county and in such case the contractor shall furnish such text-books and
3 supplies to any such dealer or merchant at the contract price. No such dealer or merchant shall
4 sell such text-books at an advance of more than fifteen per cent. on said net contract price.

SEC. 191. It shall be unlawful for any teacher or school officer to act as agent for any school
2 text-books or school supplies during such term of officer or employment and any school teacher
3 or officer who shall act as agent or dealer in school text-books or school supplies, during the
4 term of such employment, shall be guilty of misdemeanor, and shall, upon conviction thereof,
5 be fined not less than ten dollars nor more than one hundred dollars, and pay the costs of pros-
6 ecution.

SEC. 192. Whenever a petition signed by one-third or more of the legal voters, to be determined
2 by the board of education or board of directors, shall be filed with the secretary thirty days
3 or more before the regular school election asking that the question of providing free text-books
4 for the use of pupils in the public schools thereof be submitted to the voters at the regular
5 school election, he shall cause notice of such proposition to be given and said question shall
6 be submitted at said election to the voters of the county school district not within any inde-
7 pendent school district or to the voters of the independent school district as the case may be.

SEC. 193. If, at such election, a majority of the legal voters present and voting thereon shall
2 authorize the board of education or the board of directors to loan text-books to the pupils free
3 of charge, then the board shall procure such books as shall be needed, in the manner provided
4 by law for the purchase of text-books and loan them to the pupils. The board shall hold pupils
5 responsible for any damage to, loss of, or failure to return any such books, and shall adopt such
6 rules and regulations as may be reasonable and necessary for the keeping and preservation
7 thereof. Any pupil shall be allowed to purchase text-books used in the school at cost. No pupil

8 already supplied with text-books shall be supplied with others without charge until needed.
9 The electors may, at any election called as provided in the last section, direct the board to dis-
10 continue the loaning of text-books to pupils.

SEC. 194. The board of education of any county district and the board of directors of any
2 independent school district shall provide each of the schools under their charge with such dic-
3 tionaries, library books, books for teaching vocal music, maps, charts, and apparatus as may
4 be necessary for the successful conduct of such schools. They shall provide for each of said
5 schools a suitable United States flag. They may furnish school books to indigent children when
6 they are likely to be deprived of proper benefit of schools unless so aided.

SEC. 195. There shall be set apart each year from the money received from the apportion-
2 ment of the school fund to each school district such amount as may be ordered by the county
3 board of education or board of directors, as the case may be, which shall constitute a library
4 fund and be used for the purchase of books as hereinafter provided. The amount so set apart
5 in any year shall not be less than five cents for each person of school age residing in the school
6 district as shown by the last school census. It shall be the duty of the county treasurer to set
7 said amount apart upon the accounts in his office and report the amount in the library fund of
8 the district to the secretary of the county school district and each independent school district
9 on or before the fifteenth day of July each year.

SEC. 196. Between the third Monday in July and the first day of September in each year the
2 president and secretary of the board, with the assistance of the county or city superintendent
3 of schools, shall expend all money set apart by the treasurer as a library fund in the purchase
4 of books selected from the lists prepared by the state board of education as hereinafter pro-
5 vided, for the use of the school district. In county school districts the secretary shall dis-
6 tribute the books thus selected to the librarians among the several school townships. The
7 board may use a part of the library fund in the purchase of books relating to educational mat-
8 ters to be in charge of the county or city superintendent of schools and by him loaned to
9 teachers.

SEC. 197. The state board of education shall cause to be prepared annually or biennially
2 lists of books suitable for use in school district libraries and furnish copies of such lists to each
3 president, secretary and each county or city superintendent, as often as the same shall be pub-
4 lished or revised, from which lists the several presidents and secretaries and county or city su-
5 perintendents shall select and purchase books. Such lists shall be published by and at the ex-
6 pense of the state, the bills therefor to be audited and approved by the executive council.

SEC. 198. It shall be the duty of each secretary to keep in a record book, furnished by the
2 board, a complete record of the books purchased and distributed and he shall annually report
3 to the superintendent of public instruction such information respecting the school library as
4 said superintendent may require.

SEC. 199. Unless the board of education or board of directors, as the case may be, shall elect
2 some other person, the secretary of independent districts or school townships shall act as li-
3 brarian and shall receive and have the care and custody of the books, and shall loan them to
4 teacher, pupils, and other residents of the district or township, in accordance with the rules and
5 regulations prescribed by the state board of education and county board of education or board
6 of directors. Each librarian shall keep a complete record of the books in such manner as the
7 state board of education may direct. During the periods that the school is in session the li-
8 brary shall be placed in the school house, and the teacher shall be responsible to the district
9 for its proper care and protection. The board of education or the board of directors, as the
10 case may be, shall have supervision of all books and shall make an equitable distribution
11 thereof among the schools of the corporation.

SEC. 200. The board of education of any county school district may contract with the trus-
2 tees or other governing board of any free public library to loan the books of said library
3 either singly or in groups to one or more schools in the county school districts on such terms
4 as may be agreed upon in the contract and may pay any expense incurred therein out of the
5 library fund. The board of directors of an independent school district may in like manner
6 contract for the loaning of the books in any free public library to the schools in such district
7 and may pay any expense so incurred out of the library fund.

SEC. 201. The boards of education of county school districts and boards of directors of inde-
2 pendent school districts shall have power to fix the site for each school house under their juris-
3 diction, taking into consideration the geographical position and number and convenience of the
4 pupils. Any school corporation may take and hold so much real estate as may be required for
5 school house sites, for the location and construction thereon of school buildings and the con-
6 venient use thereof and for public roads leading to school houses and may sell and convey
7 such real estate when no longer needed for the purpose for which it was acquired. If the owner
8 of real estate needed for a school house site or addition thereto, or a public road, shall refuse
9 to grant the same, or if such owner is unknown, or cannot be found, or if the parties cannot
10 agree, the school corporation may acquire said real estate by proceeding in the manner pro-
11 vided for taking private property for works of internal improvement. No orchard, garden or
12 park shall be taken for said purpose without the consent of the owner.

SEC. 202. Boards of education of county school districts and boards of directors of inde-
2 pendent school districts shall have power to provide for the fencing of school house sites and
3 when said school house sites adjoins the cultivated or improved land of another, the school cor-
4 poration shall build and maintain a lawful fence between said site and such cultivated or im-
5 proved lands, and the owner of said adjoining lands may connect the fences on his land with
6 the fences around said school house site and thereafter shall contribute to the maintenance of
7 the fence around said school house site.

SEC. 203. Barbed wire shall not be used to enclose any school buildings or grounds, nor for
2 any fence or other purpose within fifty feet of any such grounds. Any person violating the
3 provisions of this section shall be fined not more than twenty-five dollars.

SEC. 204. The board of each school corporation shall give special attention to the matter of
2 convenient water closets, or privies, and provide on every school site, not within an independ-
3 ent city or town district, two separate buildings located at the farthest point from the main
4 entrance of the school house, and as far from each other as may be, and keep them in whole-
5 some condition and good repair. In independent city or town districts, where it is inconven-
6 ent or undesirable to erect two separate outhouses, several closets may be included under one
7 roof, and if outside the school house each shall be separated from the other by a brick wall,
8 double partition, or other solid or continuous barrier, extending from the roof to the bottom of
9 the vault below, and the approaches to the outside doors for the two sexes shall be separated
10 by a substantial close fence not less than seven feet high and thirty feet in length.

SEC. 205. The board of each school corporation shall cause to be set out and properly
2 protected twelve or more shade trees on each school house site where such trees are not
3 growing. The county superintendent in visiting the several schools of his county, shall call
4 the attention of any board neglecting to comply with the requirements of this section to any
5 failure to carry out its provisions. The board of trustees of each school township shall re-
6 port to the board of education any neglect of the provisions of this section at any school
7 house site in said school township.

SEC. 206. The superintendent of public instruction shall procure architect's plans and speci-
2 cations, and full detail working plans for public school buildings containing not more than four
3 rooms, which plans and specifications shall be loaned to any school district desiring to erect
4 a new school building and applying for such plans and specifications. The superintendent
5 of public instruction may contract with a competent architect for the preparation of such
6 plans and specifications, and the expense thereof shall be paid out of any funds of the state
7 not otherwise appropriated, but all contracts for such employment must be approved by the
8 executive council, and all accounts must be audited and allowed by the council before the same
9 are paid, and the entire amount expended for such plans and specifications shall not exceed
10 five hundred dollars.

SEC. 207. In the erection of every building designed to be used in whole or in part as a
2 school house, due care shall be exercised in the heating, lighting and ventilation thereof, and
3 for safety from fire, and respecting hygienic conditions; and no building designed to be used
4 in whole or in part as a school house shall be erected or remodeled until the plans and speci-
5 fications for the same, showing in detail the proper provisions for heating, lighting, ventila-
6 tion, hygienic conditions and fire protection, shall have been approved by the superintendent
7 of public instruction.

SEC. 208. All school houses shall have in each class room or study room at least fifteen
2 square feet of floor space per pupil, and not less than two hundred cubic feet of air per pupil
3 and shall provide for an approved system of heating and ventilation by means of which each
4 class room or study room shall be supplied with fresh air at the rate of not less than thirty
5 cubic feet per minute for each pupil, and have a system of heating capable of maintaining an
6 average temperature of seventy degrees Fahrenheit, during the coldest weather.

SEC. 209. No wooden flue or air duct for heating or ventilating shall be placed or be used
2 in any building used in whole or in part as a school house; and no pipe for conveying hot air
3 or steam in any such building shall be placed or remain within one inch of any woodwork
4 unless protected by suitable guards or casings of incombustible material.

SEC. 210. Every school house or other building used in whole or in part as a school house,
2 of two or more stories in height, shall have all the doors thereof, whether inner or outer doors,
3 so hung as to swing outwardly, and such doors shall not be locked or so fastened that they
4 cannot be readily opened during the hours when such building is occupied by school children,
5 whether school is in session or not. Turnstile doors shall not be used in any school house or
6 building used in whole or in part for a school house. Every such building shall be provided
6 with proper ways of egress or means of escape from fire sufficient for the use of all persons ac-
7 commodated or assembled, and such ways of egress and means of escape shall be kept free
8 from obstruction, in good repair and ready for use at all times; and all rooms above the second
9 story in such building shall be provided with more than one way of egress or escape from
10 fire, placed as near as practicable at opposite ends of the room, and leading to fire escapes
11 on the outside of such buildings, or to stairways on the inside, provided with proper railings.
12 No portable seats or chairs shall be so placed in the aisles, halls or passageways of any such
13 buildings as to interfere with access to stairways and fire escapes. Every such building of
14 more than two stories in height shall be provided with one outside stairway of iron or steel
15 construction for each fifteen hundred square feet of floor space contained therein above the
16 first story; said stairway to be securely fastened to the outside of such building with suitable
17 platforms or balconies accessible to doors or windows on each story, and extending to within
18 five feet of the ground; and the stairway and platforms or balconies shall be provided with
19 suitable railings. All such stairways, balconies and platforms shall be kept free from ob-
20 structions, snow and ice, and in good repair and ready for use at all times.

SEC. 211. It is hereby made the duty of all school superintendents, teachers, and school of-
2 ficers to take care that the school buildings and school rooms controlled or used by them are
3 properly heated, properly lighted and properly ventilated; and that pupils under their charge
4 shall have all reasonable necessary opportunities for recreation. And it shall be unlawful for
5 any school superintendet, teacher or officer to require pupils under eighteen years of age to
6 remain in school for more than two consecutive hours without a recreation period of not less
7 than fifteen minutes.

SEC. 212. Any school director or officer, or owner, lessee or manager of any school house
2 or other building used in whole or in part as a school house who shall violate or permit to be
3 violated the provisions of this act, or shall maintain or permit to be maintained or used any
4 building contrary to the provisions thereof, shall be subject to a fine of not less than twenty-
5 five, nor more than one hundred dollars for each week or fraction of a week during which such
6 building is so maintained or used.

SEC. 213. Each story above the first, of every building used in whole or in part as a school
2 house shall be supplied with means of extinguishing fire, consisting of pails of water or other
3 portable apparatus, or of a hose attached to a suitable water supply, and capable of reaching
4 any part of such story, and such appliances shall be kept at all times in good repair and condi-
5 tion and ready for use. This section shall not apply to two story buildings provided with ade-
6 quate fire escapes.

SEC. 214. The county board of education or board of directors shall not erect a school house
2 without first consulting the superintendent of public instruction as to the most approved plan
3 for such building and securing his approval of the plan submitted, nor shall any school house
4 be erected or repaired at a cost exceeding three hundred dollars save under an express con-
5 tract reduced to writing, and upon proposals therefor, invited by advertisement for four
6 weeks in some newspaper published in the county in which the work is to be done, and the
7 contract shall be let to the lowest responsible bidder, bonds with sureties for the faithful per-
8 formance of the contract being required, but the board may reject any and all bids and adver-
9 tise for new ones.

SEC. 215. The board may, when necessary, rent a room and employ a teacher, where there
2 are ten children for whose accommodation there is no school house.

SEC. 216. The board of directors of each independent district shall, during the month of
2 July in each year, estimate and certify to the county board of education, the amount neces-
3 sary to be raised by taxation therein for school purposes during the ensuing year. Such esti-
4 mate will show: (1) the amount needed for the teachers' fund, from which shall be paid the
5 salaries of superintendent, teachers and instructors; (2) the amount needed for the contin-
6 gent fund, from which shall be paid the expense of heating, lighting, insurance, janitor service,
7 supplies, apparatus, books for reference and supplementary work, and all other necessary ex-
8 penses, not otherwise provided for, including the purchase of text-books, when necessary,
9 and the construction and repair of buildings and fences and the payment for roads and school
10 house sites, and the improvement of school house grounds; and (3) the amount needed for the
11 special fund, which shall include all funds created in pursuance of a vote of the electors.

SEC. 217. The county board of education shall, during the month of August in each year,
2 levy the amount of taxes necessary to be raised for school purposes during the ensuing year.
3 Such levy shall include:

4 1. A general fund to be levied upon all property subject to taxation in the entire county
5 school district, including independent districts; from this fund shall be paid all necessary and
6 lawful expenses properly chargeable to such entire county school districts, including the
7 compensation and mileage of the members and secretary of the county board of education, and
8 the incidental expenses of said boards and its secretary, and the expense of school elections,
9 county institutes, examinations, and county school officers' conventions. The amount neces-
10 sary for the fund shall be estimated by the board at the time of making the levy.

12 2. There shall also be levied upon the property subject to taxation in the county school
13 district, exclusive of independent districts, the following funds and taxes: (1) The county
14 teachers' fund, from which shall be paid the salary and expenses of the county superintend-
15 ents, and his assistants, and of the teachers and instructors in the schools of such county school
16 districts, exclusive of independent districts, and (2) The county contingent fund, from which
17 shall be paid all lawful expenses, not otherwise provided for, necessary to the proper and ef-
18 ficient support and maintenance of such schools, and for the care and protection of the prop-
19 erty of such county school district, including heating, lighting, insurance, janitor service, sup-
20 plies, text-books, books for reference and supplementary work, library books, apparatus, im-
21 provement of school grounds, the construction and repair of fences, and the payment for
22 roads and school house site, and (3) any special funds provided for by law or voted by the
23 electors. The estimate for these several funds shall be made by the board at the time of the
24 levy.

25 3. Said county board of education shall also levy upon the property subject to taxation in
26 each of the several independent districts in the entire county school district, the amounts of
27 the several funds certified by each of such independent districts respectively. When the
28 board of directors of any independent district fails to make its estimate within the time fixed
29 by law, the county board of education may levy the necessary school taxes in such independ-
30 ent district from the best information obtainable.

SEC. 218. The county board of education shall levy each year, in the several independent
2 districts in the county school district, the amounts of the several funds, stated separately, cer-
3 tified by or needed in each independent district.

SEC. 219. The voters of a school township shall have power by a majority vote to author-
2 ize the levy of a special tax upon the property in such school township for the purpose of bet-
3 tering the schools or improving or increasing the school facilities or erecting or repairing
4 buildings in such school township. The county board of education may on its own motion,
5 and shall when requested by a majority of the trustees of a school township or when peti-
6 tioned by ten per cent of the voters thereof, submit to the voters of such school township a
7 proposition for such tax; such proposition shall be submitted substantially in the form and
8 manner required by law for the submission of propositions at a general election, the ballots to
9 be prepared under the direction of the secretary of the county board of education. Such prop-

10 osition may be submitted at a regular school election or at a special election called by the county
11 board of education; the notice shall be the same as provided for in this act.

SEC. 220. The county board of education shall levy each year upon the taxable property in
2 any particular school township any taxes necessary to provide any fund authorized by law or
3 required to carry out any vote of the electors.

SEC. 221. The levy of school taxes shall be entered upon the records of the county board of
2 education, and a copy or transcript thereof, signed by the president and secretary of said
3 board, shall, on or before the last Monday in August of each year, be transmitted to the audi-
4 tor of each county in which any of the territory comprising such county school district is sit-
5 uated, and each such county auditor shall thereupon enter such levy in the tax list. Such levy
6 shall show separately the amount of the general educational fund, and of all other funds to be
7 levied upon the taxable property of the entire county school district, and shall show separate-
8 ly, as to the county school district, and as to each independent district therein, the amounts or
9 percentage levied for teachers' fund, contingent fund and all other funds and the amount of
10 all funds levied in any particular school township.

SEC. 222. When the levy of school taxes to be made by the county board of education for
2 any year is the same as for the preceding year, no formal action of the county board of educa-
3 tion shall be necessary.

SEC. 223. When no copy or transcript of the school tax levy, as herein provided for, is re-
2 ceived by the county auditor within the time fixed by law, he shall enter upon the tax list the
3 same amounts or percentage of school taxes as for the preceding year.

SEC. 224. No school tax levy shall be deemed or held to be invalid because of any infor-
2 mality as to the time or number of making it or for any failure to properly record or certify it.

SEC. 225. The enumeration herein of the purposes for which estimates and tax levies are to
2 be made, shall not exclude the other lawful and necessary expenditures for school purposes.

SEC. 226. The county auditor shall on the first Monday in April and the first Monday in
2 October of each year apportion the interest of the permanent school fund and rents on unsold
3 lands to which the county is entitled, and all money arising from fines, forfeitures, and pen-
4 alties, and all other money belonging to the temporary school fund of the county school district
5 in proportion to the number of persons of school age in the various school corporations in the
6 county school district as shown by the last school census. He shall immediately notify the
7 county treasurer of such apportionment and of the amount due to each corporation; the coun-
8 ty treasurer shall thereupon give notice to the secretary of each school corporation of the
9 amount so apportioned and shall pay out the same in the manner authorized by law for the
10 payment of other school money.

SEC. 227. In case a judgment shall be obtained against a school corporation its board
2 shall order the payment thereof out of the proper fund. If the proper fund is not sufficient
3 to pay said judgment and the ordinary expenses necessary to be paid out of said fund, then

4 the county board of education shall levy a special tax on the property of the corporation for
5 the payment thereof. But such judgment may be paid by the issuance of bonds as provided
6 by law.

SEC. 228. The board of any school corporation may issue bonds of said corporation to pay
2 any judgment against it or to pay any indebtedness represented by bonds lawfully issued. Said
3 bonds shall be known as school funding bonds and must be authorized by resolution of the
4 board. The proceed derived from the sale of said bonds shall be applied in payment of such
5 outstanding judgment or doded indebtedness, or said bonds may be exchanged for outstand-
6 ing judgments or bonds. But no school bonds shall be sold or exchanged at less than par and
7 accrued interest.

SEC. 229. For the purpose of borrowing money to erect, complete, repair, equip, or furnish
2 a school building or school buildings or to purchase sites therefor, the board of any school cor-
3 poration may issue the negotiable interest bearing bonds of said school corporation. All of
4 said bonds shall be substantially in the form provided for county bonds, with such necessary
5 changes as will conform them to the action of the board providing therefor; such bonds shall
6 not run more than ten years and may be sooner paid if so provided in the bond. They shall
7 be in denominations of not more than one thousand dollars (\$1,000) and not less than one hun-
8 dred (\$100) each, and bear interest at not exceeding six per cent per annum, payable semi-
9 annually and shall be signed by the president and countersigned by the secretary of the
10 board of the corporation issuing them, and shall not be disposed of for less than par and ac-
11 crued interest. Said bonds shall be registered in the office of the secretary of the county board
12 of education.

SEC. 230. Any school corporation may become indebted for the purpose of erecting, com-
2 pleting, repairing, equipping or furnishing a school house or school houses or school buildings
3 or for purchasing sites therefor, to any amount not exceeding the limitation fixed by the
4 constitution. But no such indebtedness can be contracted in excess of one and one-fourth per
5 centum of the actual value of the taxable property in the corporation, either at a regular school
6 election or at a special election called by the board for that purpose. The proposition shall
7 be substantially in the following form: "Shall (stating the amount) bonds be issued for school
8 house purposes?" Such proposition shall be submitted in substantially the same manner and
9 form as propositions at general elections; the ballots to be prepared under the direction of the
10 secretary of the district in which such election is to be held, and the notice shall be the same
11 as provided for in this act.

SEC. 231. Except as otherwise specially provided, all salaries, which under this act are to be
2 paid by the state, shall be paid monthly by warrants drawn by the state auditor, and all per diem
3 and expense accounts, which under this act, are to be paid by the state, shall be itemized and
4 verified and filed with the executive council and paid by warrants drawn by the state auditor
5 only for such sums as have been approved by the executive council.